

REMARKS
ON THE
TRIAL
OF

Mr. Ireland, Mr. Pickering, and Mr. Grove,

Which was

Lately Published by Authority.

PSAL. 42.

*Iudica me Deus, & discerne Causam meam de Gente non Sancta:
Ab homine Iniquo & Doloso erue me.*

Let my Cause be tried by Thee, O Lord, and not by an
Unsanctified Country [or *Corrupted Jury*:] That so thou
mayst Deliver me from the Unjust [*Judge*] and Deceitful
[*Witness*.]

Printed in the Year, 1679.

Quid igitur? nostranè artes ita meruerunt? an illos Accusatores justos fecit præmissa Damnatio? Itanè fortunam nihil pudit, si minus accusata Innocentia, àt Accusantium Vilitatis?

What? are both the *Merits* of the Accused, and the *Crimes* of the Accusers so soon forgotten? And though you blush not to Arraign the Innocent, are you not, at least, ashamed of the Infamy and Baseness of those Witnesses by whom you do it?

Fraus aperta patuisset, si nobis ipsorum Confessione Delatorum, quod in omnibus negotiis maximas vires habet, uti licuisset.

The Cheat would have easily been discovered, had it been lawful for us to alledge in our behalf the Confessions of the very Informers themselves; which in all cases have ever been reputed of the greatest moment.

Non ita sensus nostros maior hebetavit, ut impios scelerata contra virtutem querar molitos, sed, quæ speraverint, effecisse vehementer admiror.

Grief hath not yet so far stupified or darkened my Understanding, as to make me complain, that Wicked Men should have Wicked Designs against the Vertuous: But I extremely admire, that [in a Civiliz'd Nation] such Attempts as these should succeed according to their wishes.

Qui nunc populi rumores, quàm dissona multiplicesq; sententia, piget reminisci. Hoc tantum dixerim, ultimam esse Fortunæ adversæ sarcinam, quod cum miseris aliquod crimen affingitur, quæ perferunt, meruisse creduntur.

It will be tedious to declare, what variety of Reports there is amongst the People, and how many different and disagreeing Opinions are daily vented: Let me only say, that when the imputation of any Crime is laid on the Innocent, this is the last and heaviest burthen of their misfortune, viz. that what ever Evils are inflicted on them, they are thought to deserve.

Videre videor nefarias sceleratorum officinas gaudio latitiâq; fluitantes; perditissimum quemquè novis Delationum fraudibus imminentem; jacere Bonos, nostri discriminis terrore prostratos; Flagitiosum quemq; ad audendum quidem facinus Impunitate, ad efficiendum verò Præmiis incitari; Insontes autem non modo securitate, verum ipsâ etiâ defensione privatos.

It methinks, I see Villains triumphing, their abominable Trade flourishing, their Mints and Forges successful, and their Shops and Warehouses of Iniquity well stored. Every Ignominious and Forlorn Caitiff is busied in finding out New Cheats and Fresh Perjuries: Our Sufferings Dismay the Good [and interrupt their Pious Actions.] But Rogues are encouraged by Impunity to dare, and by Rewards to perform their Villanies. And the Innocent are not only deprived of Security, but even [through close Imprisonments and other Arts of their Adversaries] of all freedom and opportunity of making their Defence.

To my Dear Countrymen, and Fellow Subjects, the
Commons of *ENGLAND*.

Dear Countrymen,

IT was long since, that I took this little Task in hand, but having spent some few hours on it, the Absurdities which occurred in the subject of these Remarks seemed to me so evident, the Partialities so palpable, and finally, the whole Piece of Injustice so monstrous and amazing, that, for my part, I quietly laid down the Pen, concluding with my self, that the Text would speak much plainer than any Comment; and that it would be little less than to affront mankind, should I shew so mean an opinion of the lowest Humane Understanding, as to imagine that it stood in need of my Illustrations for the discerning things so extremely manifest. I could not find in my heart to enter upon formal Discourses, that I might convince a reasonable Creature, That one and one made two, and two and two four: That it was very improbable that a man should have run away with one of the Kings Great Ships under his Cloak: That One could not well be at York and London at the same time: That it was hardly credible that men in their right senses would Murther their best Friends, and spare their greatest Enemies: That when Witnesses contradict themselves, both sides of the contradiction could not be true: That (let my Lord Chief Justice say what he pleases) men ought not to have the more credit for having been great Rogues, notorious Lyars, and often guilty of Perjury: And briefly, that there is no such Vertue in the Kings Pardon (Witness the Act of Oblivion) as to change arrant Knaves into Honest Men. What is it to explain such things as these, but to hold a Candle to the Sun, and to tell the Readers that you suppose they have forfeited their Patent of Reason, and lost the distinctive Sign between them and Beasts? I hoped therefore, that this Tryal would have condemned it self, and that you, my dear Countrymen, would, on maturer thoughts, as far as in you lay, have revoked the Verdict, which that Mistaken or Malicious part of you, the Jury, so unreasonably delivered: And that likewise, on account of the Common safety, you would long ago have unanimously Petitioned, that Sir W. Scroggs might be (if not punished with proportion to his Cruelty, yet at least) sent back to his antient Trade, as apparently the more suitable to his Inclination and unalterable Genius. And on the other side, when instead of this I found the unjust Sentence generally applauded, the Blood of Innocents more and more thirsted after, and the Lives of Honest Men wrested out of those Hands, which in this Conjunction would never have endeavoured their Protection, but on the assurance of their being wholly guiltless: When, I say, this Hellish Phantome of a Pretended Plot gained new forces every day, and either suppressed, or outfac'd the clearest Evidences to the contrary: When Laurels were provided for the shameless Forehead of our Lord Chief Justice, Statues Erected to Oats and Bedlow,

a Crew of Infamous Wretches adored, and our poor Nation ready to fall into the Old Egyptian Idolatry of Worshipping Serpents and Crocodiles. Though all this (as you will perceive) happened quite otherwise, than my imaginations had perswaded me to hope, yet it altered not my purpose of silence, but the two different extremes (as it often comes to pass in natural causes) produced in me the same effect. At first I laid aside my Endeavours, because I thought them needless; and now they appeared to me altogether as fruitless and ineffectual. I then supposed that the Distemper would have been healed of its own accord; and now I judged, that it was beyond my industry and skill to cure it. But after some time looking through the vast Wood of the Common People, I discovered many who meant well amidst so much ill as they said and did, Whom the frequent Proclamations and Votes of Parliament falling on an entailed prejudice, together with the horrid spectacles of so many Barbarous Imprisonments, and most Bloody Executions, had wrought into the firm belief of a Popish Conspiracy. Shall we (said they) imagin that Persons of the greatest Wisdom and Honour of the Nation can either mistake, or act unworthily? Is it possible that our Judges, our Lawyers, and our Juries should be so prodigal of Innocent Blood, as some would have us think, since the least drop thereof must cost them so dear? I perceived likewise, that the too great Modesty, and (perhaps, imprudent) Caution, wherewith Catholicks forbore in any loud manner to vindicate themselves, were no small increase to this Error, inclining men to believe, that, because they heard little from us, we had little to say in our behalf, and consequently rather exasperating than moderating our mistaken Persecutors. Now, though I could not wholly excuse the ignorance which I have here described, being the effect of unjust prepossessions, or it may be, the punishment of other sins; there being nothing more ordinary with God Almighty, than to chastize an unlawful Desire in the Will by an unusual Blindness in the understanding; Spargit Deus [says St. Augustine] poenales coecitates super illicitas cupiditates; However it seemed to me that there was some compassion to be had of a Mistake, and some difference to be made between those who were thus erroneously Cruel, and those who out of pure Malice or Diabolical Designs, began and carried on this most Inhumane and Tragical Imposture: And therefore for their sakes who are misled, and on that score less guilty and more curable than the rest, I have thought fit to finish and publish the following Remarks; pretending not so much to explain the subject matter of them more clearly than it is in it self (which, as I have already hinted, were almost impossible) as to point out those things to my Readers, which I desire them to consider. I declare then, that this small Piece and Product of a few hours (for what need was there of many for the remarking things so palpable and obvious?) is directed only to that part of the Nation, which laboureth under a fallacy: For, to those others, who are not ignorant of their Injustice, and who have either acted contrary to their knowledge, or (which is as bad) concealed it in prejudice of the Innocent, I shall only say, That there is an Undeceiving and most Righteous God, who is to judge them; That there is an Hell, which (unless they repent) will snatch them from their stately Houses, and fine Apartments; and that those Devils, who now tempt them, will then rack and torture them to all eternity. But that they may not please themselves with the vain fancy of a long and
easy

ease life in the meantime, let them reflect how closely the Divine Vengeance (Which is said to have leaden feet in other occasions) pursues the shedding of Innocent Blood, Which most commonly is scarce sooner dry, than revenged. How quick were those Calamities Which followed that Blood, Which nevertheless was shed for the Benefit and Salvation of the World? To bring the examples that are in confirmation of this truth, were to number the Sands of the Shore; and therefore I shall only ask, What became of those Bishops, Who (laying a proportionable Foundation of the ensuing Miseries) made way for the late Lord of Strafford's Death? Was their erroneous Divinity, peradventure, less effectual in moving the King of Heaven to Decree their own Destruction, than it had been in prevailing with their earthly Sovereign, to consent to that of the Earl? And if you will not charge your Memories so far, be pleased only to consider, What hath even now began to be inflicted on some of your Fellow-Contrivers, Who are already falling into those Pits, Which they had prepared for others. He that slays with the Sword shall perish by the Sword, and have the same immature and hasty Fate which he procureth to another: And He that Murthers with the Sword of Justice, provoketh the same Justice more immediately; and it is not to be admired if his punishment be not only the more severe, but the more speedy also. This being all I have to say to these Gentlemen and their Turkish Policy, Which causeth them to fill up Motes, and make Bridges with Mens Bodies, that they may pass on to their no less unchristian Designs, I return to you, my dear Countrymen, Who have been deceived by them, and think you do God good service, whilst you are doing their work, Who are set on by the Devil. It is you, of Whom I beg to open your eyes. It is to you, that I appeal in behalf of your Innocent Neighbours and Fellow Subjects. It is you, Whom I beseech to afford me a little of your Consideration, and a few of your second Thoughts. It is a small request Which I make unto you, and What I hope from you will not seem much, When I affirm it to be only this, viz. That you would give no farther credit to this Bloody Cheat, than those do, on whose Perswasion and Authority you have hitherto believed it. And therefore give me leave, (though it may increase this Epistle beyond the length that were fit) to lay before you one Instance, out of an innumerable heap, whereby it may appear, how little your Superiours themselves believe that Which they impose on you. We are just now told in one of the News-Manuscripts from Whitehall of the 6th. instant, stil. vet. That, on the 2d. my Lord Brudenel, having embraced the Protestant Religion, was with great kindness and respect, fully discharged by His Majesties Court of Kings-Bench. I remember that this Lord was (not long since) accused by Bedlow of the Dreadful Conspiracy, and had therein (as you all know) none of the least shares, or meanest Parts assigned unto him. How then is he so soon cleared? What force hath his turning Protestant to justify him to the World, or to manifest his Innocence? And if his Lordships Integrity appear, how comes Bedlow's Perjury to be yet in the dark, Who hath sworn him a Traytor? You will perhaps answer me, that the King may pardon Whom he pleaseth; and that on his Lordships change of Religion, there being great hopes of his amendment in manners, his Majesty could not be blamed for admitting him again into his Favour.

Favour. But this is to mistake the Case; He is not forgiven, but legally, and Without the intervention of His Majesties Pardon publickly acquitted. And if so, how can any one think that these men believe the Treason, When in this manner they dismiss the pretended Traytor. Nay, to think thus, Were at the same time to suppose them unjust, and to have betrayed the Security of the Commonwealth, by Winking at the highest Enormities, and releasing the most dangerous Offenders. But that your Satisfaction may be yet greater, Let me grant you, that there are such powerful Charms in Protestancy, as can dispel and annihilate the blackest Crimes, provided that you also suffer me to put you in mind, that our Nobleman hath ever since his Change openly disowned This Conspiracy, denying flatly all those Treasons Which Bedlow had as flatly sworn against him. And yet he is not only received into our good Opinions, but embraced With the greatest Testimonies of our Affection. VVhence is all this kindness, if the Credit of the Plot subsist? Is it not evident that either my Lord Brudenel (denying What is objected against him) must be thought an Hypocritical and Vnsincere Protestant, and so not to deserve this favour and respect; or else it must be concluded, that Bedlow is a Perjur'd Villain, his Story a meer Fiction and Chymera, and his Testimony good for nothing but to destroy obstinate Papists? You may see (my dear Countrymen) clearly enough in this single instance, that our Superiours (Whatever they pretend to the contrary) entertain not the least belief of this Renowned PLOT. But that you likewise may perceive, on What just grounds they forbear the crediting it themselves, and how unjustly they abuse you into so false an Apprehension, I desire you to peruse, With some little attention, the ensuing Remarks; not that they are all Which occurred out of this Tryal it self, or the thousandth part of What is and might be collected elsewhere to undeceive you, but that I think them entirely sufficient; And leaving you to judge, I remain,

Paris,
June $\frac{10}{10}$. 1679.

Your assured Friend,

T. A.

R E-

R E M A R K S

On the T R Y A L of

Mr. *Ireland*, Mr. *Pickering*, and Mr. *Grove*,

Which was lately Published by Authority.

MAny of the first Pages are taken up with an exact Registry of the Forms of Law, which (though it may seem a tedious impertinence to others, yet) for my part, I much commend in the Publisher, this being the only piece of Justice, which we have in the whole Process, and serves not only to increase the Volume, and consequently the Price, but also somewhat to disguise the following Oppression and Tyranny; inclining the Reader to believe at first, as well that in this Relation nothing was left out of what passed at the Tryal, as that whatsoever passed there, swerved not a tittle from the strictest and most precise Equity. But how well these two last points were performed, you shall hear anon. Pag. I.
& seq.

Sir *Samuel Baldwyn* reckoneth the Prisoners at the Bar to be three Jesuites, one Priest, and one Lay-man. It is a wonder that the Informers being Fellow-Conspirators, and of so long Acquaintance, should not have known their pretended Brethren better, it being very publick amongst Catholicks and many others, that the person (*viz.* Mr. *Pickering*) whom they took for a Priest, was none. P. II.

Proving

P. 12. Proving that Jesuites came from *Spain* about the Gun-Powder Treason, says he, *This is evident by the Act of Parliament, &c.* One would think who takes the opinion of my Lord Chief Justice, and the rest of the Bench, that no Record (and in this case the Act of Parliament must be looked on no otherwise) could be any evidence, since *Page 35.* Mr. *Fenwick* offering to produce an Authentick Writing from the whole Colledge of *St. Omers*, attested by the Magistrates of the Town in his behalf, it was told him, that such a Testimony signified nothing. But I must confess, that it is a strong prejudice with me against the Credit of Acts of Parliament, to have seen, that Both Houses on the single Testimony of one infamous Villain, without hearing what could be answered, or what Witnesses could be brought by the Accused, proceeded to Vote, That *there had been, and was a most Hellish Plot against his Majesty*, contrived and carried on by men of the greatest Worth, and most unspotted Reputation. This, I say, will hinder me for ever from putting Acts of Parliament amongst the Articles of my Creed.

P. 14. He tells you, That on the 24th. of *April*, between 40. and 50. Jesuites met at the White-horse Tavern in the *Strand*. Methinks the Vintner and Drawers might have been good Witnesses, and ought to have been called for by such as had any sincere desire of finding out the Truth. It being plain, according to this Story, that the Vintner and his Servants were no Confidants of these Jesuites; since, for fear of being discovered or suspected, they met not all together, but a few at a time, each parcel going off before another came in. You may imagine that four or five came at a time, so that there might be about ten Companies in all: These (you must suppose) were advertised to be very punctual to their respective hours, or rather minutes: They must likewise have come pretty fast one after another, and dispatched their Wine and Consultation

sultation apace, or else very probably there would not have been time for all of them in one Forenoon, considering what was to be done afterwards, as you shall know presently. At this Tavern they find orders to remove themselves and their Debate in several Companies, to several parts of the Town. Where was the punctuality of hours for meeting at the Tavern, and the joyning of the smaller Companies contrived? Were they all together when that was done? If so; why did they not consult then, rather than hazard the Inconveniencies of another Meeting? If not; why at those places where the respective lesser Companies met (if not before) were they not directed to the several Chambers, where the Consults were to be accomplished, rather than, foolishly to repair to the *White-horse* at certain and different hours, for no other end, but that there they might receive new Orders for their going to the Chambers? Indeed Sir *Samuel*, this Travelling had been fitter for the First of *April*, than for the Twenty fourth. He says, They met not all together for fear of Discovery: And certainly, were it not for that, it had been most convenient for their Consult, that they should have been together; and I see no reason, why they might not as well have met together to Consult, as they did the very same day about noon to hear Mass and receive the Sacrament at Mr. *Whitebread's* Chamber, according to Mr. *Oates*, Page 27.

I believe that our Dramatick Writers would find Business enough for this Forenoon in these Transactions. Between 40. and 50. men divide themselves into small Companies: The Companies succeed one another at the Tavern: Each of them spends some time there: They withdraw to six or seven several parts of the Town: Consult of a weighty Affair: One common Instrument is drawn up, and carried from Chamber to Chamber to be Signed by all: This every one peruses [p. 26.] and then

Signs : In conclusion they all Assemble together, hear Mass, and take the Sacrament, and an Oath of Secrecie at Mr. *Whirebread's*. And now, leaving the foregoing Speculation to the Poets, I would ask Mr. *Oates*, whether these Gentlemen drank any thing at the Tavern, or not ? If they had not called for Wine, the Vintner had not been pleased : And if they had not drunk what they called for, it had been an excellent Circumstance in Mr. *Oates's* Tale, and would not have escaped him. Besides, in such a case it would have been better for them to have met in the Piazza of *Covent-Garden*, or some other place of the like nature, than in a Tavern. I believe it will seem most probable that they drank : And every one knows that there is nothing so Religiously observed amongst Catholics as not to eat or drink before the receiving the Sacrament, the contrary (unless in cases of great sickness and danger of death) being held a Mortal Sin. I doubt not but such, as would Murther their King, would not stick at any Mortal Sin : But how did they expect to secure secrecy by that act of Religion, when according to their own Principles, that act of Religion was then violated ?

You have now beheld the main Body of this Terrible Information : And what think you of it ? would not such a Plot be his'd by a Country Village ? Would even the Jury-men themselves endure That on the Stage, which seems to them to be so well *Designed* at the Bar ? And yet this is that story, whereof my Lord Chief Justice (full and even bursting with Rhetorick) says [*p. 72.*] that it is almost impossible for any man either to frame the like [if he means so absurd an one, I agree with him in that] or not to believe when it is told.

P. 16. Mr. *Finch* says, That the Prisoners were not Indicted for being Priests, which he mentioned for their sakes, that they might not fancy that they suffered Martyrdom for

Mr. Ireland, Mr. Pickering, and Mr. Grove.

for their Religion. But yet he adds presently, and almost in the same breath, That what they were Indicted for, was a great Principle of their Religion. Pray Mr. Finch, How shall they forbear to fancy that they die Martyrs, when you tell them that it is a great Principle of their Religion for which they die? O that Men would know themselves to be but Men, and think that sometimes they may be mistaken! And denying Infallibility, in spite of God's promises, to the Universal Church in matters of Faith, would not arrogate it to themselves in every kind of thing, maugre that Blindness and Error, which the same God assures us to be unseparable from our Nature!

Oates says, *The Consult of Iesuites met in several Chambers at the Tavern* (which like the Incoherence of a sick man's Dream, agrees not with the Idæa which was given us at the opening of the case) *and chose John Cary for their Procurator at Rome, &c.* They were, it seems, in several Chambers to avoid suspicion, and yet agreed to one common Resolve. What? did Mr. Oates, or any other person carry the Resolve from one Chamber to another? would not that be more Suspicious, *viz.* that a Correspondence should be observed between the several Companies, and yet they should forbear the Meeting together in one Room? If this be not improbable, I know not what is.

Oates says, *Instructions from St. Omers for Killing the King, the Bishop of Hereford, and Dr. Stillingfleet were Copied out, and disperst abroad by Mr. Coleman.* Are things of this nature disperst abroad, and communicated through the Kingdom in a plain legible hand? Add to this That Letters were sent To and Fro of the Proposal made to Sir George Wakeman for poisoning the King, which was likewise entered in several Books. Mr. Finch says, p. 17. *All that the Wit of man could do, these men had done.* Now, I appeal to the Politicians whether the Conduct, which is here mentioned, can deserve such an *Elogium*, or not?

You may observe, that, when Mr. *Oates* is press'd hard in any matter, my Lord Chief Justice, or some of the Judges, or Lawyers, take care immediately to divert the Discourse, as *page 23.* when Mr. *Whitebread* urgeth that an hundred and an hundred could witness that *Oates* was at *St. Omer's* at such time as he swore he was at *London*: Mr. *Whitebread* is told, that he should have another time to speak; and they hastily turn the minds of the Jury to another matter, by impertinently asking Mr. *Oates* when Mr. *Cary* went for *Rome*, and what was his Errand: Though afterwards he was never press'd to tell what his Errand was, which was the most material part of their question. But this served to alter the course and decline the Rock, against which Mr. *Oates's* Testimony was in danger of splitting.

P. 23. *Pickering* and *Grove* were certainly two most stout Champions, having resolved (they two alone) to Assassinate the King in *St. James's Park*, in the midst of his Servants, the Sentinels, and Guards. Perhaps (as the mode is now-a-days) it will be answered, That they cared not though they lost their lives, after so Meritorious an Action. If so: How came it to pass, that they had not done it during those several years, wherein *Oates* says that they followed the King for that purpose, since the common Proverb teacheth us, that *He who despiseth his own life, is easily Master of anothers*? I believe there are few, but will grant me, That, if Papists were such odd kind of men, as neither to scruple the taking away a King's Life, nor to regard the loss of their own, our Sovereign (for these several years which Mr. *Oates* speaks of) hath been preserved by a perpetual Miracle [which is hard to believe in Ages, wherein the Protestants assure us that *Miracles* are ceased] since every body knows how many Papists (and even of these Pretended Conspirators) have almost daily been near his Royal Person, and

and what constant Opportunities they have had of making such an Attempt, had they ever designed it. And hereof his Majesty himself was so sensible, that notwithstanding the news which was brought him of this Plot, he conversed as freely and openly with the Roman Catholics at *New-Market* and elsewhere, as he had formerly done: It being likewise (as we cannot but imagin) very hard for Him to fancy, that Those who had lost and hazarded so much for the Defence of his Life, should, all on the sudden, conspire to take it away.

You have here a pleasant passage of this Tragi-Come-*P. 24.* dy. Mr. *Pickering* for being careless of the Flint of his Pistol, and thereby losing an opportunity of shooting the King, receives the chastizement of 20. or 30. lashes: And Mr. *Whitebread* gives an account hereof in Letters, which Mr. *Oates* saw. This piece of *Mock-evidence* is gravely called for by the King's Council, and as gravely hearkened to by the Jury: And is a part of that Tale, which (how ridiculous soever it must needs seem to Intelligent and Sober Persons) hath, I know not by what Charms (instead of moving laughter) laid us all under the greatest Fears and Consternations imaginable.

Mr. *Whitebread* having intelligence before the 3d. of *P. 25.* September that the Plot was discovered to the King, and presuming that Mr. *Oates* had done it, who on that day came to his Chamber, He fell upon him, beat, reviled, and turned him out of doors, commanding him to go beyond-Sea again; and afterwards assaulted his Lodging to have murdered him there. And certainly, had they been such villanous and crafty Conspirators, as you make them, it had been very reasonable for them to have murdered him; And I wonder that they had not done it before, when they had him in their power at Mr. *Whitebread's*. What? would They, who are supposed to have murdered Justice *Godfrey* (who neither did, nor could do

do them any harm ; but on the contrary was their special Friend) suffer one whom they so violently suspected to have betrayed them , and was so intimately acquainted with all their Designs, to escape their hands ? Or, if they thought fit to let him go , would they not rather speak him fair, than by Reviling and Beating provoke him to discover them, in case he had not yet done it , especially when being told of the Discovery , he would most probably think of securing himself, and be able to do so, and revenge himself at the same time by farther *revealing* their Contrivances ? Mr. *Finch* , I must needs ask you a second time, whether the Jesuites did here , all that the Wit of man could reach. Either they were perswaded that *Oates* had discovered them, And then why did they let him go ? or, that he had not, And then why did they beat him ? If they were afraid to kill him , They ought much more to fear the Beating , and dismissing him with such an Affront. Then his Lodgings were assaulted : What Lodgings ? Where were the witnesses of this assault ? His Landlord or Landlady ? But instead of such questions as these , lest the Jury should pause on so much absurdity, Mr. Serjeant *Baldwyn* asks , whether it were *Pickering* or *Grove* that had the Flint of his Pistol loose : and my Lord Chief Justice carries on the Digression. What arts and tricks are these ? This Tryal is nothing else but a *Tryal of skill* : Wherein our Sages have a mind to shew the World, how dexterously they can foil Innocence even by those Weapons (I mean *the Laws*) which were meant for its defence. How is it possible for any False Witness of common sense, nay, even for any Mad-man to be disproved or caught in an absurdity , when such care is taken by the very Judges to prevent it ? Agreeable hereunto is that great Caution which His Lordship useth, *p. 26, 27.* and elsewhere, that the Prisoners should ask

Mr. Ireland, Mr. Pickering, and Mr. Grove.

ask the Witnesses no Questions during the course of their Evidence, deferring that liberty till afterwards, when most probably such Particulars as from time to time occurred to them, will have slipped out of their minds. A very hard case for such as knew not what would be objected against them; and therefore were to answer *extempore*! But before I leave this Paragraph, I cannot but offer to your Consideration, whether it be probable or no, that the Jesuites being conscious before the third of *September*, that so Horrid a Plot of theirs was detected, should be so stupid, and supinely negligent as not to provide for their security, but tamely suffer themselves on the 29th. of the same month to be surprized at their usual and constant Lodgings, which were known to so many, and to the Informer himself? I suppose that they who believe this, will not agree with Mr. *Finch*, that the Jesuites are the wisest men in the world. But (answer some) Had they fled, it had argued Guilt. What then? The Plot was already discovered, and consequently the fear of Discovery was over, and gave place to the fear of losing their lives. I would fain know, whether High-way-men, or other Criminals of the like nature, on the knowledge of their being betrayed by some of their Companions, forbear to flee, and to avoid the pursuit of Justice, that (out of great Discretion!) they may not add to the credit of the Informers. [And this was not the case neither, with the Jesuites, since being obnoxious to the Laws on the account of their *Priesthood*, it had been no argument of any other Guilt, for them to have withdrawn themselves.] It is impossible for any Rational and Unprejudiced person to imagine, That not only these Priests, but so many Lords, Gentlemen, and others of meaner Quality, as have been since imprisoned on the account of this Plot, would, after the full publication of its Discovery, be so far from Retiring, that many of them even
put

put themselves into the Hands of Justice on the first hint of their being Summoned, had (all this while) so great a Guilt have lain upon their Consciences. Certainly, the World must acknowledge, that This is *new under the Sun*, and the First Conspiracy, wherein the Detected Traytors were so little concerned,

Ibid.

P. 25,

& 26.

L. Ch. I. What say you as to the fourscore pounds? *Oates.* That was given to the four Ruffians that were to kill the King at *Windsor*: Now that Money I saw. *L. Ch. I.* Where did you see it? *Oates.* At *Harcourt's* Chamber. *L. Ch. I.* Where is that? *Oates.* In *Duke-street*, near the Arch. *L. Ch. I.* Who was it given by? *Oates.* *William Harcourt.* *L. Ch. I.* Who was by when the Money was paid? *Oates.* *Coleman* that is Executed; and, my Lord, there was this *Mr. Fenwick* by.-----*Mr. Fenw.* Where? *Oates.* At *Harcourt's* Chamber.

Now give me leave to Transcribe also a piece of *Mr. Coleman's* Tryal, which you will find in the 24. and 25. Pages thereof.

Oates. These four Irish-men were sent that night to *Windsor*. How they went I know not, but the next day there was a provision of 80*l.* ordered to them by the Rector of *London*, which is a Jesuite, one *William Harcourt*, &c. *L. Ch. I.* Did he order the 80*l.*? *Oates.* *Mr. Coleman* came to this *Harcourt's* House, then lying in *Duke-street*, and *Harcourt* was not within; but he was directed to come to *Wild-House*, and at *Wild-House* he found *Harcourt*. *L. Ch. I.* How do you know that? *Oates.* He said, he had been at his House, and [he] was not within; Finding him at *Wild-House*, he asked what care was taken for those four Gentlemen that went last night to *Windsor*: He said that there was 80*l.* ordered. *L. Ch. I.* Who said so? *Oates.* *Harcourt*. And there was the Messenger that was to carry it. I think the most part of this 80*l.* was in Guinnies: *Mr. Coleman* gave the Messenger a Guinny to be nimble, and expedite his Journey: *L. Ch. I.* How know you they were Guinnies? *Oates.* I saw the Money upon the Table before *Harcourt*, not in his hand. *L. Ch. I.* Who was to carry it after them, what was his name? *Oates.* I never saw him before, or since; The Money was upon the Table: When *Mr. Coleman* came in he gave the Messenger a Guinny, &c.

What

What think you Gentlemen? Hath not this Transaction (which doubtless carries horror enough along with it to imprint *soundly* the Circumstances thereof in one's memory) in a most strange manner shifted the Scene? What at the *King's-Bench* Bar (on the 28. of last *November*) was said to have been at *Wild-House*, is now (on the 17. of the succeeding month, and) at the *Old-Baily*, removed to Mr. *Harcourt's* Lodgings near the Arch in *Duke-street*. And after all, is this man's word to be taken before the most solemn Protestations of Honest and Honorable Persons, and (which is of more weight to serious Thoughts) even of Dying men? But if the Quality of being the *King's Witness* carry him beyond the Imputation of this manifest Perjury, and the Justice of having his whole Evidence rejected, yet methinks, you should so far condescend to the Equity of our Plea, as to admit but one side of his Contradictions (it being impossible for Both to be true) That so, at least, the one Half of Us may escape with our Lives.

Mr. *Whitebread* protesting very solemnly that *Oates* had p. 28. not spoken *three true words*, the Lord Chief Justice answers, *But if you have a Religion that can give a Dispensation for Oaths, Sacraments, Falshoods, &c. How can you expect that we should believe you?* And yet, *My Lord*, the only Crime, which your Laws punish in the Generality of Catholics, if not in All, is the Refusal of *Oaths*, *Tests*, and *Sacraments*. The B. Martyr Sir *Thomas More* was never accounted a Fool, or an unskilful Lawyer; and yet He urged as a good Argument of the Conscience, which he made of an Oath, that he was Arraigned for refusing to take one. You may see, if you please, that in all Ages since the Pretended Reformation, Catholics have lost their Employments, Estates, and Lives, for not complying with your Tests, Sacraments, and Oaths: And yet, *say you*, they Dispense with all these Things. How can we expect that our Judge

C

should

should defend us against the manifest Lies and Perjuries of False Witnesses, when He himself is thus become One of their Number, attesting an Untruth, as Great, and as evidently False, as any of Theirs? But, my Lord, before I conclude this Point, let me put you in mind, that this Doctrine of yours doth not only traduce Us, but (what will more concern you) arraign the Prudence and Counsel of your Parliaments. Do so many Wise and Worthy Senators spend their Time, and employ their Divinity in Contriving Tests, that they may purge their own Venerable Assemblies, His Majesties Palace, and, in fine, the whole Military and Civil Government of the Nation, from all Mixtures of Popery? And do you tell them, that They take pains to no purpose, Spin the Sand, and set Cobwebs to catch Lyons, by Asserting that their most Artificial Oaths and Tests will signifie nothing, but quite lose their Force on the Approach of a Popish Dispensation? Who might not have seen the Folly of This? And yet there are some who are still so Foolish, as to urge, in answer to this last Argument, That many Papists (especially Persons of Quality) are loth to make use of Dispensations, out of fear to lose their Credit; and consequently, that in such Cases, these Oaths may be of some Efficacy. And hereunto they attribute the late Evacuation of the House of Peers. But, who can tell me, with whom This Credit is in danger of being lost. Not with the Protestants: They cannot think worse of Us than they do already: Nay, on the contrary, when we Conform in Appearance (since they can judge no farther) to their Rites and Communion, They receive Us with great Kindness and Respect, as you may perceive by that Instance, which you read in my Preface: And, indeed, it would be Ridiculous, should they do otherwise, and seem a strange thing to the World, That Christian Religion should neither Send to make Conversions *abroad*, nor admit of them *at home*.
And

And now, you will not say, that we shall forfeit the good esteem of our own Party, by doing that, which (as you affirm) they all do, and is the general Allowance of our Religion. Where, then, is that Disgrace which you speak of, save only in that Field, which is so fruitful of *vain* and *groundless* Fancies, I mean, Your own Imagination? I have talked the more against this Tradition of *Boundless Dispensations*, on hopes that even the Protestants themselves will thank me for it, there being nothing more evident than that this Opinion serves, not only to hide the Innocence of the Catholicks, but likewise for an Engine, and Battering Ram to throw down as many of the Others, (whereof some have already felt its force) as should be thought to stand in the way. For, I beseech you, What Protestant is secure, should he once be Accused of being a Papist, or Popishly affected? Will the Oaths of Allegiance and Supremacy save him? Will the Receiving the Reformed Communion, Going to Church twice every Sunday, Or Eating Flesh, (or even Being Drunk, with Sr. W.S.) on Fridays do him any good? No, He hath a Dispensation for all these things; And though he should offer to be Hanged, that he might have the opportunity of Professing his Religion *on the Faith*, and *in the Words* of a Dying Man, He must not be believed. You see therefore, *My Protestant Friends*, what a Dangerous and Destructive Engine some men are possesst of in this Opinion, and how much you your selves are concerned to Wrest it out of their Hands, or, more properly, to Dash it in pieces. What is here said of these Dispensations, hath the same force against that other Calumny of Equivocation, Mental Reservation, and the like.

Mr. *Whitebread* confessing that he was *Provincial* of the *P. 29.* Jesuites: *Why then*, says my L. Ch. J. *there are more than* three true words, *which* Mr. Oates *hath spoken*. A pretty Quirk, when Lives are at stake! It is to be supposed, that Mr.

Whitebread meant, That *Oates* had not spoken *Three true Words* relating to the *Accusations* of the Indictment, which were not for Being Provincial of the Jesuites, or any other Matter of Religion, as the King's Counsel was careful to declare. But this groundless Reflection was a little Dust to be thrown into the Eyes of the Jury, which, before we have done, are to be sufficiently Blinded, and therefore you have more of it, [page 30.]

P. 30. Where Mr. *Grove* intimating, That He never saw Mr. *Oates* at his own Lodging: *Why*, says my L. C. J. *don't you know Mr. Oates?* As if by denying that he had seen him at his own Lodging, he had denied to know him. My Lord (says Mr. *Grove*) *I have seen him before.* *Why this 'tis*, replies my L. C. J. *ask a Papist a Question, and you shall have a Jesuitical Answer.* I appeal to any Reasonable Creature, Whether his Lordships Question arising from Mr. *Grove's* first Assertion, be not more *awry*, and from the purpose, than what he now cavils at? Is any thing more ordinary than for one, when asked, whether he knows a man, whom he hath seen twice or thrice, but is not well acquainted with, to answer, *I know him by sight*, or, *I have seen him*, or, *I am not acquainted with him*, or, the like? Are these Jesuitical Answers? Truly, if they are, they are very Ordinary ones, and such as we Ordinary Folks Speak and Hear every day. But his Lordships Authority will, perhaps, hinder the Jury from making this Reflection, who (as it is to be supposed) are unwilling enough to trouble themselves with CONSIDERING in behalf of Papists. Knowledge of any one, or Acquaintance may be taken in two senses, which occasions different Answers to the above-mentioned Question. A Man may know another either so far as to be acquainted with his Manners, as well as his Person, or else only so far as barely to distinguish his Person (or little besides) from others. In the First Case, We say, *We know them very well*: and in the Second we answer, *We have*

have seen them, &c. It would have been more Just, as well as Pertinent, that your Lordship should have reflected on what your Famous Witness, Mr. Oates, (who almost every where Answers a-skew.) said of his Knowledge of Mr. Coleman before the Council, and what he said afterwards thereof before Your Lordship in *Westminster-Hall*. How he did not *well know* Him at the Council-Board, but was *well acquainted* with Him at the Kings-Bench. It had likewise been Just, that in this Passage [See Mr. Coleman's Tryal, p. 32. and the four following pages] you should have taken notice How Mr. Oates excusing himself on the account of his Bad Sight, that he did not then well know Mr. Coleman, said that he knew him as soon as he heard him speak [supplying the defect of his Eyes by the acuteness of his Hearing] Whereas Sir Thomas Doleman told you, It was after he had heard Mr. Coleman speak, that He declared, *He did not well know him*. Had your Lordship attended hereunto as you ought, Perhaps, you would not have said to Mr. Ireland (as you do, p. 43.) That nothing appeared to you, which reflected on Mr. Oates's Testimony: But, on the contrary, you would have seen good cause, why Mr. Oates's Ears ought to have been put into as ill a plight, as he said, his Eyes were in. I say, such Solid and Rational Reflections as These had been Equitable, and become the Place you hold: But, I must confess, I wonder, How any One who would fain be thought a Christian, (nay, and Charitable too) could make use of so many Quibbles, and such petty Sophisms, as would be punish'd in a School-boy's Declamation, in so grave and weighty a matter: What, my Lord? are they not Men to be Tried? or perhaps are they so many Beasts to be Slaughter'd, whose only Tryal is whether, or no, they are Fat, and will yield Money at the Shambles?

Mr. Grove having owned that he had seen Oates twice or P. 31, thrice; says Mr. Oates, *I will convince him and the Court, that* 32.
he

he does know me, and is well Acquainted with me: and so he reckons up some few Places where Mr. Grove had seen him, and been in his company. Methinks, the greatest proof of Mr. Grove's being well acquainted with Mr. Oates, and what (if true) had come first into his mind, was, that he Lodged at Grove's House: which Oates never thinks of here, but asserts on another occasion, *viz.* when He was urged to Prove his being in London at such time, as, in truth, he was at St. Omers. In which point, it seems, He had greater need of this Lie, than at present: and therefore like a good Conscientious Man, he never made it, till extreme necessity obliged him thereunto.

Ibid. L. C. J. *Then Mr. Oates was known to you all, he was no such*
P. 32. *stranger to you, as you would make us believe.* It does not follow that he was known to all, though some confessed they knew him; neither did they strive to make you believe that he was Unknown to them all: And therefore it was ill done to amuse the Jury with such a Reproach. But there is a Vein of such Disingenuity, which runs through the whole Tryal.

Ibid. Mr. Oates says, *That they* [these Conspirators] *used to turn*
What was done at the Council, the Parliament, or at the Courts of
Westminster-Hall, &c. into Burlesque, translated it into
French, &c. Truly Mr. Oates, if it be so, You are now very kind to them, and save the taking that pains with what is done at present in These Courts, by making it ready Burlesque to their hands. Indeed, There is somewhat in this Monstrous and Chimerical Transaction so Ridiculous, that 'tis beyond the Humour of the most exquisite Farce to heighten it: And yet at the same time there is likewise somewhat so Sad, as the Deepest Elegy can never sufficiently Lament.

Ibid. It seems that this *Firing of Houses* was looked on as a most important piece of Service amongst them, since three Irish-men had 200*l.* apiece, (besides 400*l.* given to
 Grove)

Grove) for the Firing Southwark, when four of them were to have but fourscore pounds for Killing the King. No Man yet hath been able to tell me, why Papists should be so zealous to Burn Houses. Is it that they may be rid of their own (which suffer in these Conflagrations as well as the rest) and, to imitate the Primitive Christians, live in Dens and Caves? But though there is not the least Motive for Us to employ our selves in any such thing, yet there is great reason Why Designing and Seditious Men should impose the Belief thereof upon the Common People; there being nothing more Efficacious to alarm and provoke them (as is evident) than such an Apprehension.

Mr. Fenwick says, That the reason why he lent Mr. Oates P. 33. eight shillings was, because he was a Fool. And my L.C.J. is still on the Catch, and Replies, *When you can't evade being proved Knaves by Answering Directly, you will rather suffer your selves to be called Fools.* I am weary of these Trifles, but they are cruel Trifles. Why was he not able to evade the being proved a Knave by *answering directly*? Would to God your Lordship were in as little danger thereof. You see He presently tells you, that out of Charity he had at another time Relieved him with five shillings; but because his Charity was so very ill bestowed, He accounted himself Unwise.

Mr. Oates having Sworn That he was present at a Con- P. 35. sult held here in London, the 24th. of April, 1678. *stil. vet.* Mr. Fenwick Affirms, that He [Oates] was then at St. Omers, and offers to prove it by a Writing under the Seal of the Colledge, Testified by the whole Colledge, and Signed by the Magistrates of the Town. This is accounted no Evidence: Nay, Mr. Justice Atkins says, that such an one would not be Allowed against them: Then, I confess, it is none indeed, since for Evidence against Them a great Noise is made of one single Letter, which mentions the Appoint-

Appointment of a Meeting of *Jesuites* at *London*, because it likewise recommends Secresie, when every body knows, that their very *being in England* requires as much. But though this Testimony from *St. Omers* consist of 200. Witnesses, Yet they are all Papists, and must not be believed: And therefore my L. C. J. at the old rate, says to Mr. *Fenwick*, *I know not What you cannot get from St. Omers*. InfINUATING hereby, what he plainly Asserts elsewhere, *That Catholicks make no Conscience of Oaths, &c.* But (besides what I have already answered to this odious Calumny) if This were true, I wonder why these Prisoners had not been better provided of Witnesses; for though the strictness wherewith they were kept, and the short notice they had of their Tryal (which was only the night before) permitted them not to send for Any to *St. Omers*, and *Stafford-shire*; yet, methinks, a sufficient Number might easily have been procured, who would have Appeared and Sworn what had been necessary at an hours warning. Why was not this done? Good God! that such Obvious Things should not be reflected on! But so irresistible is the Force of Interest, Prejudice, and Malice!

Ibid.

When the Testimony of the whole Colledge of *St. Omers* must not be thought sufficient to prove that Mr. *Oates* was out of *England* during the above-mentioned time, Mr. *Whitebread* proposeth most Candidly, Humbly, and Reasonably, that Mr. *Oates* may be obliged to prove by any two Witnesses, that he was then in *London*. I wish that the most Prejudiced and Malicious would but pause here a little, and tell me, whether it be possible for so considerable a Man, as Mr. *Oates* pretends himself, or indeed for any other, to Travel from *Dover* to *London*, Tarry several days here, and afterwards Return back again by the same Road to *Dover*, and yet be unable to prove his being then in *England* (which would have been sufficient) by two Witnesses? But so it is, that he neither
proves

proves it by two, nor so much as offers to prove it by one. It is enough that Mr. Oates says it, for the Philosophers *Ipse dixit* goes not half so far as his. I could Exclaim (but I find no Exclamations pathetick enough) That any one should thwart his common Sense and Reason to Credit one or two Infamous Villains, and not hearken thereunto for the Belief of so many worthy Gentlemen, and Persons of unblemished Reputations! But instead of Witnesses, Mr. Oates (according to his custom) produceth Circumstances, which my L. C. J. likes so well, or so ill, that he calls for more of them, *page 36.* Oates tells you *P. 36.* that he came over with such and such Persons, naming such, as either are not at all, or else are in Banishment, and cannot be produced. But why does he not call on the Hackney-Coachman, or some Inn-keeper, Drawer, or Tapster on the Road, whom he may have seen in his Journey, either backward or forward? For, lest you should expect a Witness from him of his being in *London*, He tells you, that he was ordered to keep very close at *Grove's*, and so not stirring abroad, he might not happen to be taken notice of by any body during his stay there. But This was a Lie, which (as I have already hinted) he was forced to coin for this place. For, you shall have from his own mouth, How *close* he kept: He tells, that on the 24th. of *April*, (being part of the time wherein he pretends to have lain hid) He went to the White-horse Tavern in the *Strand*, then the Consult held there Adjourning to five or six Chambers in several parts of the Town, he carried the Resolve of the Consult to all those Chambers to be Signed, and afterwards returned to Mr. *Whitebread's*: And all this Walking up and down was in one Forenoon. He tells you likewise [in Mr. *Coleman's* Tryal, *page 27.*] that within a day (he thinks) after the Consult, he went to Mr. *Langborn's* Chamber in the *Temple*, and [*ibid. p. 29.*] that then he went thither many times in one

Forenoon : And [*ibid.* p. 21.] he tells you, that about the same time he was at *Wildhouse* and heard the Resolve of the Consult Communicated to Mr. *Coleman*, and [*ibid.*] that not long after a Letter was sent him, when (he thinks) he was gone a few miles out of Town, &c. Is This *Keeping very close* ? If you will not take the Testimony of the whole Colledge of St. *Omers*, the whole Town of *Hastings* (the one a *Catholick*, the other a *Protestant* Society) nor of great numbers of *Stafford-shire* Gentlemen, both *Catholicks* and *Protestants*, against the unshaken Credit of Mr. *Oates*, Be pleased, at least, to admit of Mr. *Oates* against himself. You cannot now deny, but that we have as Credible a Witness, and (as good a *Protestant*) on our side, as you produce against us : But such is our unparalleled Misfortune, that the Contradiction must not be considered to Save us, but both sides thereof must severally be believ'd to Condemn us ! I cannot leave this point without averring once more, that it is morally impossible for a man to gad about the Town and Country, as *Oates* professeth to have done, and yet not be able to produce one Man, Woman, or Child, who ever saw him, or name any such that could be produced. Moreover, it would have been a most absurd thing, and not the effect of that Subtilty which you seem to fear in the *Jesuites*, for their Provincial so unreasonably to have presumed, that *Oates* could not bring two Witnesses of his being in *England* at that time, had not, his Absence then, been most certainly known unto him : since, if *Oates* had then sufficiently proved his being there (as how could the Provincial hope otherwise, in case it were true ?) their Cause had been lost, every one clearly Convinced of their Guilt, and finally a Plot Discovered. How is it possible for any one not to be undeceived here ? But *Impii impiè agent, neque Intelligent*, Wicked Men will do wickedly, and will not Understand.

Oates

Oates affirming that in the abovesaid Months of *April* and *May* he lodged at Mr. *Grove's*, proves it no otherwise than by saying, that a Flaxen-hair'd Gentleman, and one *Strange* lay there at the same time. Had the Prisoners offered no other Evidence for themselves, but Circumstances, of their own bare assertion, and incapable of being farther proved, would you have forbore to laugh at them? If Mr. *Ireland* to prove his having been in the Country should have told you likewise of a Flaxen-hair'd Gentleman whom he met there, or, to ingratiate himself the more, should have spoken of a certain Countryman, whom he saw near some Market-Town, on Horseback between two Panniers full of Quarters of Beef and Mutton, who very much resembled my L. C. J. in the Face, and was then taken by him for one of his Lordships Relations. Would you have declared (as you do in favour of Mr. *Oates's* Story) that it was impossible for a Tale so well Circumstanced to be false? I believe you would not, and consequently that *You do not as you would be done by*. Mr. *Grove* denying that Mr. *Strange* lay in his House at that time, my L. C. J. asked *how he could make that appear?* He replied, *By all the House*. One would think that here my L. C. J. should have called for Mr. *Grove's* Family, and examined them in so material a point. But his Lordships business, is not to find out the Truth, and therefore, (as if he had assented to what Mr. *Grove* had said, that the thing might be urged no further) he turns off, and demands, whether they had any more Questions to ask Mr. *Oates*. And This is another Instance of his Lordships Skill.

Because Mr. *Bedlow* entertains you with a confused and frivolous Story of his Travels into *Flanders, France, and Spain*, it would not have been amiss, to have inserted here a more perfect Journal of his Transactions in these Parts, than that which he is pleased to give you, had not this been done already, and Published from most Authentick Records in several other Papers, and were it not most easie for you

P. 37.
& seq.

to inform your selves from your own Merchants and Travellers, What Footsteps Both He, and his *Lieutenant-Swearer* (*viz.* His Brother) have left behind them amongst Foreigners: It being one Happiness (amidst so many Misfortunes) of poor English Catholicks, that the Prime Discoverers of this Pretended Treason are so well known Abroad, as entirely to satisfie these Countries, (wherein Necessity has forced us to seek a Refuge) How Prodigious that Injustice is which hath been shewn towards us, and consequently what Proportion of their Pitty is due unto our Misery; since otherwise it had been difficult for them to think so meanly of any Nation under Heaven, as not rather to believe Us Faulty, than to admit that Humane Creatures were capable of such Inhumane and Savage Proceedings. However, let me give you one Instance of this Fellows Brazen Impudence, who [p. 39.] is not ashamed to mention *Zamora* in *Spain*, saying, That he overtook an Irish Father there, &c. That being the very place, where he himself was overtaken and Arrested by Officers of Justice, who pursued him from *Bilbao*, for having Cheated some English Merchants there (*viz.* Mr. *Frankland*, Mr. *Steel*, and Mr. *Richards*) of 300. Spanish Pistols. *Bedlow* was then in Company with his Younger Brother, who passed for a Lord *Gerard*, and He himself, under the name of *VWilliams*, for his *Fictitious Lordships* Tutor. They were both put in Prison (and in Irons) at *Zamora*, and from thence Removed to the like Apartment in *Valladolid*, till at length at the Intercession of the Offended Merchants themselves (who were willing to hinder as much of the Infamy of their own Nation as they could) they were Released, and made halte into *England*. But perhaps you like Mr. *Oates's* Testimony better: and therefore you shall have it concerning these Two Brothers [the Tutor and Pupil] in the Extract of a Letter which He wrote from *Valladolid* on the 4th. of *September*, 1677. to Father *Sweetman* at *Madrid*. Which I here subjoyn, not so much for Mr. *Bedlow's* sake, as that you may discern somewhat of Mr. *Oates's* Spirit, and How Great a share he *Naturally* hath of this WITNESSING Faculty. The Extract is as followeth.

Reverend Father,---I cannot but give you to understand, that it may chance that there may come a Person, that pretends himself to be the Lord Gerard, to Madrid; Accompanied with a pretended Tutor and a Foot-boy, together with Mr. Madan our Country-man, and a Spanish Mule-Man. The said Lord Gerard is a Murtherer to my own knowledge, for in the Precinct of Whitehal he by the strength of his Arm wrang off a Boys neck, of which I was an Eye-Witness, and fled for the same into the North of England,

England, where it is said, and not without proof, that many Robberies were by him committed, with his Company, and now he is fled the Kingdom of England, for he stands Out-lawed for Life, for Non-appearance to his Majesties Proclamation. He Arrived at Bilbao some days since, where he was well Treated by the Merchants; and to recompence their Civility, he gave one of them a Shirk for 300. Doblones. He, as I am informed, Robbed a poor Priest of four Ryals Vellon in his Way from Bilbao to Burgos, and beat him because he had no more Money; and that very day he met with a poor Mendicant Fryer, who had his VVallet with Victuals for the Convent, and in a mad humor took it away from him. I dare not assert this for truth, but I assure your Reverence I believe it; and to tell you a worse story than this, he sent his Tutor to see if there were any English in Valladolid, and to that end the said pretended Tutor repaired to our Colledge, and there he found none but my poor self: and because he was my Country-man, I had an Inclination to be civil to him, and therefore I invited him to my Chamber, and left him there till I had provided something for him to eat and drink; and whilst I was gone he robbed me of ten Pieces of Eight; and that which grieves me most, he took an English Book which did belong to the Colledge, which was worth about two or three shillings: But for God's sake say nothing of the Book, or of my Loss to Father Rector of our Colledge. I am content to sit down with the loss, though I confess he hath not left me two shillings in the world. I give you the intimation of these things that you may not sustain any dishonour by shewing the said pretended Lord Gerard or his Tutor, so called, any countenance: it will be a base dishonour to our Country-men if such Persons be suffered to Rogue about the Country, &c.

Not to trouble you with Observations on what he says [*mutato nomine*] of Mr. Bedlow, I believe you know How late at night that Action (which he mentions) of Killing the Boy happened, and how Improbable it is, that Mr. Oates should have been an Eye-VVitness thereof, or having been so, that he should not, at this time, inform himself, Whether this were the same Gerard whom he pretends to have seen, or not: And you will perceive by this and other passages of the Letter, the strange Inclination and superabundant Fancy, which our Informer hath ever had towards his LYING TRADE, since so lightly, (to no purpose, and without the encouragement of six Dishes of Meat per Meal) he slips into it, as if it were impossible for him to let any Truth escape his Narratives without a considerable mixture of Falshood and Invention.

The Original Letter is kept in Mr. Oates's own hand (which is the same wherein one of those five Forged Letters sent to Mr. Beddingfield

dingfield at *Windsor*, was written) and is capable of being produced, with many others of the like nature, whenever the Reasonableness and Impartiality of our Judges shall admit the validity of any Evidence in our behalf. Whereas your Oracle, Mr. *Oates*, was never able to shew so much as one, of all those Treasonable Letters, or Commissions which he pretends to have received, perused, and carried so frequently up and down amongst us.

By this Letter it is likewise evident, as it is by several others in the same hand, that though *Bedlow* and *Oates* pretend never to have seen one another before this DISCOVERY, that they might not be thought to have contrived their *Depositions* together, yet (to return his Lordships Reproach) *They were no such strangers to one another, as they would make us believe.*

P. 41. *Bedlow* seems here not to have been acquainted with any Design of *Killing the King*, till *August*, 1677. And yet page 39. He told you that long before he understood such a Design, by Letters, which he delivered to certain Benedictin Monks at *Cambray*.

Ibid. *Bedlow*. About the latter end of *August*, or the beginning of *September*, (but I believe it was the latter end of *August*) I came to *Harcourt's* Chamber, &c. L. C. I. What part of *August* was it? *Bedlow*. The latter end. L. C. I. Do you say it positively that it was the latter end of *August*? *Bedlow*. My Lord, it was in *August*, I do not swear positively to a day.

Had not *Bedlow* time enough to have recollected himself better, that he might not have thus stammer'd in his Evidence? First, it is either in *August* or *September*, Then positively it is in the latter end of *August*, and being asked whether it were in the latter end of *August*, as he had positively said, or not? He boggles once more, and (so fearful is a guilty Conscience!) returns no direct answer. Why does not your Lordship take notice of this notorious Shifting? Does it not seem as if this were the first time that he ever told the story? You are mighty sharp-sighted on the other side, and observe indirect Answers, where no body else can discover them. Are you not afraid of the Woe pronounced by our Lord and Supreme Judge

Judge against those, who perceive the *Mote* in the eyes of their Brethren, and are not able to discern the *Beam* in their own? Your Lordships Crime is yet worse, since what you reprehend in your Neighbour, is meerly the Product of your own fancy, and not any fault of his.

Mr. Bedlow says, *That he was less acquainted with Mr. Whitebread than with any of the Society*, and that he could not charge him to have been of the Plot. It must needs seem strange, that the Provincial and Chief of the Conspirators should not acquaint himself with so principal an Agent in the Design. P. 43.

Here I cannot but acquaint the Reader, that on perusal of Mr. Reading's Tryal (which was long after I had made the foregoing Observation) it was not a little pleasing to me, to find that my Remarks were so far from being *Malicious* or *Far-fetch'd*, That Mr. Bedlow himself had justified this Last (which, you will say, is none of the most Material or most *justifiable* amongst them) by concluding, that it would be a less prejudice to his Evidence to acknowledge Perjury, than to suffer it to lie under the Absurdity of his *Disowning an intimate acquaintance with Mr. Whitebread, and Mr. Fenwick*: And therefore He tells you [in that Tryal, page 16. and 17.] That Mr. Reading had made him *Easie* [which is a new expression of *Being Forsworn*] towards those two Gentlemen. For, saith he, *I could be no such stranger to Whitebread and Fenwick, being so much concerned, as I was, in their Affairs. It was impossible that I should be so much a stranger to them, as I said, [and, Good Sir, upon your Oath too.] that I was.* There can be no better proof that one's Censure hath neither been Rash, nor Unjust, than that Those, who are Censured, should own their Failings; seeing that Men are hardly induced to Condemn any thing in themselves, whilst they think it capable of so much as a tolerable defence. Wherefore I hope that this Remark of mine hath received from Mr. Bedlow himself, the greatest Approbation that could be given it. And if so, I cannot despair of the rest, which, for the most part, are rather less liable to any exception, than otherwise. And, now, because Mr. Bedlow hath done me so much right in this particular, I can do no less in Justice and Gratitude than acknowledge to the World, that He hath fully clear'd himself of this *Absurdity*. But alas! (*Incidit in scyllam, qui vult vitare Charybdim*) he hath fallen hereby upon an evident and most undeniable *Perjury*; and how he will dis-

entangle

entangle himself there, 'tis past my skill to shew, and must be Judge *Scroggs's* task to effect. I am not ignorant that, [in the Tryal of *Hill, Green, and Bury*] when it was alledged that Mr. *Prance* the Prime Witness had Retracted in his Majesties presence, what before he had Sworn to, and consequently owned a Perjury, His Lordship urgeth, that Mr. *Prance* made not this Denial upon Oath, and so was not Forsworn, nor had the Credit of his Testimony impaired: But Mr. *Bedlow* having on his Oath, (and under an Obligation of declaring the whole Truth) averred that he could object nothing of these Treasons against Mr. *Whitebread* and Mr. *Fenwick*, and now Swearing that he then knew enough against them to have taken away their Lives, His Lordships Plea will be ineffectual here, and do more Harm than Good, since it seems to admit, That, had *Prance's* Denial been likewise upon Oath, the Objection had been solid against him. And therefore I know not, how he will come off at this time. Indeed, my Lord, His Majesties Witnesses deal too severely with you, and are meer Egyptian Task-Masters, causing you to *make Brick without Straw*, and obliging you to defend them when you have not the least Argument or shadow of Reason to do it with. I see but one way of attempting it at present: You remember that in excuse of Mr. *Prance's* Retraction, you were pleased to allow a very weak Reason, viz. That He (being a Goldsmith) was fearful of losing that Trade, which he had amongst the Catholicks, and therefore loth to disoblige them, &c. Whereas being in such danger of losing his Life, it was to be presumed, that he would little think of preserving his Trade: Or if his Avarice (in spite of the very fears of Death) should have driven him into such thoughts as Those, it was not to be imagined that at this time of day the Catholicks would appear to him such Advantagious Customers, Or looking after Gain, that he should be so Dull, as not to see, that WITNESSING was now (beyond Dispute) the Best TRADE of the Nation. Now, I say that, your Lordship admitting this weak and frivolous Pretence in behalf of Mr. *Prance's* Contradiction, Methinks, you should content your self with that stronger Motive which Mr. *Bedlow* offereth in favour of his Perjury. And yet, if you do so, and allow that People may forswear themselves, as oft as they please, provided they shew you reason for it (as I am sure our present Witnesses, who get so much by it, are well able to do) It will be said, that the same Objection which you make against the Papists, is capable of being brought against your own Janizaries, viz, That they will swear any thing for the

Good

Good of their Cause. And if on the bare presumption thereof, you reject the Testimony of the Former, with what face is it, that, where it is manifest, you admit the Evidence of the Latter? In fine, This is a scurvy Business, and I am afraid that (do what you can) it will stick upon you. But though I am quite weary of Thinking on so nauseous a Subject, I cannot but stay to tell you, That having perused over Mr. Reading's Tryal, and seeing Applause given to One, who in open Court had confessed and committed a Perjury, and the Pillory appointed to Another for taking pains to hinder it, I began to fancy myself in some strange *Vtopia*, or amidst the extravagant Frolicks of some *Saturnalia* or Mis-rule, where *Servants governed their Masters, School-boys Whipped their Teachers, Souldiers were rewarded for Flying from their Colours, and severely punished for obeying their Commanders*, and, finally, where the Common Order and Antient Method of the World were wholly inverted. I was afraid that Robbery on the High-way would pass for a piece of Service to the State, and that our Honest Country-men, who keep *Watch and Ward*, would be hanged for endeavouring to prevent it. Indeed, I could not say, That the Magistrates *bare the Sword in vain*, but I was forced to add, That it was for the *punishment of VVell doers, and Praise of those who did ill*, and therein contradict the Scripture as flatly and peremptorily as one of the 39. Articles doth that Verse in St. James, which assures us, That *Man is not justified by Faith only*. And these are two Instances, whereby you may perceive, How great and nice that Exactness is, wherewith our Gospel-Reformers observe the Rules of Holy Writ, not only in order to their Belief, but Practice also.

Here you may observe, that twice, when Mr. Ireland P. 44. offered to prove, *that he was absent from London all August 78.* which would have invalidated Bedlow's Testimony, my L. Ch. J. (as he useth to do in such occasions) diverts the Discourse.

Bedlow affirming that he had seen Mr. Ireland often, and been several times in his Company, Mr. Ireland desires him to produce any one Witness of any such thing. Which the L. C. J. accounts a disingenuous Objection, For, says he, Bedlow *doth not come prepared to produce Witnesses: And if he should, he must produce such Company, as you [meaning Mr. Ireland] keep, Priests and Iesuites, and of your own Religion; and*

*Ibid. &
P. 45.*

We can hardly expect they should make any True Answers. Though *Bedlow* came not prepared to produce Witnesses, yet he might have named some who were capable of being produced; neither is it necessary, that two Conspirators who are often together, should never be seen in company but by their Fellow-Conspirators, and consequently there might have been some *Witnesses* hereof, from whom your Lordship might have expected *True Answers*. Nay, they might have been seen together by some of this very Religion, who were honest Gentlemen (since, according to His Lordship and Mr. Recorder, there are such amongst them) and not engaged in the Plot. I only urge this to shew that the L. C. J. calls the said Objection of Mr. *Ireland* *Disingenuous* without any reason, and only to blind the Jury; and therefore that the *Disingenuity* lieth at his own Dore.

P. 45. Mr. *Ireland* is made to say that *he never saw Bedlow in certain Company above once or twice*: Whereas I am assured from very good hands, that Mr. *Ireland* said not any such thing, but constantly denied that he ever saw him before, as is set down in the foregoing pages. He had been but a weak Sophist indeed, to Confess, what he was then actually Denying; neither would the Judge, who every where is so quick-sighted and vigilant an Observer of the Prisoners Failings, have suffered so Palpable and Material an one to escape without Remark or Comment: as nevertheless it doth in this Printed Account. I know not whether this Falshood be to be attributed to Malice or Error: but I have reasons to charge it on the former; This not being the only Thing of this nature, which the present Publication is guilty of, as shall be shewn hereafter.

P. 46. You may observe, that Master *Oates* talks of a great many plain Treasonable Letters sent up and down. Why does he not name the Messengers? Certainly such things (unless in a *secure* Cypher, which likewise would have bred suspicion) would not have been trusted to the Common Posts. It is strange that those Letter-Carriers were so little known to one another. *Oates* and *Bedlow* give account of none but of themselves, and
speak

speaking not of many Letters carried by them; And they two pretend to have had no acquaintance together.

Mr. Bedloe allows but One man to the Killing of the Duke of Ormond, But his Brother Oates commits the Charge to four Jesuites, and for greater security adds a fifth. This Discord is harmonious enough from Instruments in the Ears of a Musician, but ought not to have been so from Witnesses in the Ears of a Judge.

I thought a little while ago (as you will have perceived) that Mr. Oates meant that these Treasonable Letters, which passed up and down so frequently, were sent by special Messengers. But now I see that the good Fathers (how cautiously, I leave you to Judge) were loth to be at such an expence, And Mr. Whitebread being on his Journey to London, sends thither his Consent to the Design of Killing the Duke of Ormond in a Letter by the Ordinary Post, as you gather from what is said here [*viz.* that it had the Post-Mark thereon] which Letter, says Oates, was entered in their Books. Pray Mr. Finch, (I cannot forbear the turning to you on such occasions) tell me, are these men the greatest Politicians in the world? Had they done *All the Wit of man could do*? And was there need of such an Extraordinary Providence, as you speak of, for their detection, when they intrusted the Common Posts with their Highest Secrets?

Mr. Oates says, that Mr. Whitebread being the Superiour of the Jesuites, kept a Book, wherein all their Resolutions were entred, and which was never opened but at the Consult. He told you a little before of a Letter seen by himself to be entred in this Book the latter end of August: He informed you of no Consult then. Besides, the Letter was from the Superiour, and, as is to be supposed, entred in his Absence. And consequently this Book was not always kept by the Superiour, and also was sometimes opened when there was no Consult. So that my

Lord Chief Justice needed not with so much pleasantness to have asked for Mr. *Whitebread's* Book, *that Oates might be caught in some Trip*, had his Lordship attended as he ought, to what he then heard from this worthy Depo-
 nent. His Lordship (I confess) is every where Facetious, but it is with more Malice and Cruelty, than Reason, Justice, or even (what he is so fond of) Wit. And here you must give me leave to take notice, with what egregious Partiality Mr. *Whitebread* is asked to produce a Book, which he denied to have; and Mr. *Oates* is never urged to shew any one of those many Patents and Treasonable Letters, which he pretends to have received from several of these Conspirators, no, not so much as that Patent from the General of the Jesuites, whereby he was Authorized to be of their Consult in *England*: Which he neither offers to produce, as most probably he would do, if it were in his possession, nor tells what is become of it, as doubtless he would, in case it had been taken from him, lost, or otherwise disposed of.

Mr. *Oates* told you of one Book, and that never opened but at a Consult, and kept by the Provincial [who, as is known, is the Superiour of all the English Jesuites. I mention this, because *Bedlow* seems to speak of several distinct Consults.] But Mr. *Bedlow* tells you of many Books, and kept by Many, and that Mr. *Langborn* (a Lay-man) Registered them all into One, who was so far from being present at the Consults, that Mr. *Oates* tells you (in Mr. *Coleman's* Tryal) that Mr. *Langborn* was beholding to him for the knowledge of what was done in that famous Consult of the 24th. of *April*: So that what Mr. *Oates* tells you was *one Book*, kept by the Superiour of the Jesuites, and opened only at the Consults, Mr. *Bedlow* affirms to be *many Books*, frequently in the hands of a Lay-person (the Chief of them, *viz.* the general Register, as is to be supposed, being always kept by him) and opened by one who was
 no

no Member of the Consults, nor present at them. Such is the admirable Concurrence of these two Testimonies, which hath been so much bragged of. It has been alledged in my hearing (and that by some Men who in other matters seem not to have lost their Reason) as an evident Mark of the truth of this Story, that after Mr. Oates's Depositions had for a long time been made Publick through the Nation, there should appear a Man who was able to say part of them by heart, and concurr with him in some particulars. This certainly was no hard thing to be contrived: But such, it seems, through the goodness of Divine Providence, is the Fate of False Witnesses, that most commonly their Testimonies disagree. This was the case of those who appeared against our B. Saviour, and now, you see, it is of these who are produced against his Servants, who though they had (as every body knows) so great an opportunity of Complotting their Affair together, as without doubt they did, yet after all (that Judge Scroggs may be left inexcusable) they most evidently Disagree. But his Lordship is sharp-sighted only in one of his eyes: He is so fully convinced with this Evidence, that he Exclaims, *page 48. If an hundred Witnesses Swear it, P. 48. they will deny it.* Should a poor Country Jury-man have happened to observe the above-mentioned Disagreement in the Witnesses, I believe at this Exclamation he would have retracted his Opinion, and submitting to his Lordships better Judgment, have thought himself Mistaken. I say this, That my L. C. J. may not think to wash his hands of this Murther, by laying it on the Jury, since his whole business in this Tryal is to corrupt their Judgments. It is much to be feared that the Nation endeavour to pacifie their Consciences by laying this Blood on the Law, and on the Judge; The Judge (when Wine will not do it) quiets himself by laying it on the Jury; And the Jury either lay it on the Witnesses, or return it back.

back to the Judge. But it is as much to be feared, that there are few of all these, who are not Spotted with it. For, had not the Jury been Byassed and Corrupted, two Infamous Villains had not passed for Credible Persons, when Witnesses of good Reputation were rejected, Contradictions had not been taken for solid Evidence, nor a most incoherent, ridiculous Story for a probable Truth: Again, had not the Judge been unsincere, and represented things by false Lights and Glosses, the Jury had not been Corrupted: and lastly, had not the Nation cried *Crucifie, Crucifie*, the Judge had not been afraid to be Honest. You see therefore how many have united themselves to Oates and Bedlow, and are Partakers of their Guilt, and consequently how General that Punishment is, which (unless we prevent it by timely Pennance) we have all reason to fear from the just and certain Vengeance of Almighty God.

Ibid.
P. 48.

Mr. *James Bedlow* seems to know none of these Conspirators, neither doth he tell you the name of any one Priest or Jesuite: And yet he Swears boldly that *several Priests and Jesuites came to his Brother*. Why doth he not say, or why is he not asked, how he came to know that they were Priests and Jesuites, and seem not so much as to know their names; it not being enough for the Warranting his Oath that his Brother should have told him they were such? He says, that he has fetch'd many score of Pounds from these Priests and Jesuites (whose names he knows not) which (says he, p. 49.) *I proved by the Goldsmiths who paid it*. Why are not these Goldsmiths produced? and why does he add presently that he actually received the Money from the Priests and Jesuites? And why was he not examined to such Interrogatories as these? But Mr. *Finch* very much to the purpose, asks him for whom he received the Money. Which Question was not, as it should have been, in order to the Discovery of Falshood,

Falshood, but by preventing other Queries to conceal it. Which (as I am weary now with observing) is every where practised through the whole Tryal.

L. Ch. J. to James Bedlow. *Do you know Ireland?* J. Bedlow. *Ibid.* No. L. Ch. J. *Do you know Pickering or Grove?* J. Bedlow. *I have heard of them.* One would think by this way of Answering that he had never heard of Mr. Ireland. And yet, page 50. he says, that he had heard his Brother talk of him.

His Lordship does well to tell Mr. Ireland that he would P. 51. not have Cunning nor Art enough to deceive the Jury, having reserved that part for himself: whereunto this very Expression is directed, as likewise is that pretence of Caution and Conscience, page 52. where his Lordship P. 52. says, *He cannot understand how the Letter from Mr. Peters to Mr. Tonstal could affect Mr. Whitebread, &c.* For, almost in the same breath he is not afraid to tell the Jury, That *in this Letter there is a Discourse of a Design and PLOT.* There is, indeed, mention of a Design; but, I hope, every *Design* is not a *Plot*, at least, such as his Lordship means. If his Lordship should have a *Design* to do Justice, I hope, no man would accuse him for a Conspirator: Though, I must confess, in this Conjunction he had been in evident danger thereof. Every one knows (who knows any thing of the Jesuites) that their Constitutions oblige them to hold Congregations every three years in their respective Provinces, and every one knows that the Design of holding one of these Congregations in *London* is such, as they have all reason to keep Private, though the matter thereof be ever so innocent; since, (as I have said already) their very Residence in *England* is Treason by the Law. I need to say no more of this Letter, there being lately made publick a Particular Paper, which gives a full and satisfactory account thereof.

Mr. Oates since the finding the above-mentioned Letter, and in this Tryal expressly nominates the day of this Meeting of Jesuites: But in Mr. Coleman's he expresseth the time no otherwise than by saying

saying more generally that it *was the latter end of April, old stile and May, new stile*: which was all the knowledge thereof he had gotten at *St. Omers*, where he then was.

P. 56. & seq. Mr. *Ireland* affirms that he was out of Town during such time as the Witnesses accused him to have committed Treason in it, and nameth several persons of good Quality and Reputation, who could attest the same, *viz.* Sir *Iohn Southcot* and his Lady, my Lord *Aston*, &c. Declaring, that having been kept so strictly in Prison, and not been allowed the Liberty of writing any Letter, he had not been able to desire their Evidence in his behalf. This was an Affirmation, which, if it were false, Publick Authority might easily have disproved, by sending for those Worthy Persons whom he mentioned, and this (as there is no unbyass'd Man but will grant me) had infallibly been done by such, as were cordially desirous of finding out the Truth. His Sister had procured one of Sir *Iohn Southcot's* Servants, whom she hastily sent for over night, (the Messenger Riding all Night who went for him) not presuming at so unseasonable an Hour, to desire the Appearance of Sir *Iohn* himself and his Lady, and imagining that the Testimony of his Servant would have been sufficient. Which, indeed, was so extremely Particular and Punctual, that if my L. Ch. J. had been but half so kind to Circumstances produced in favour of the Prisoners, as he was to those against them, he would have acknowledged himself Convinced of the Truth of this Evidence. This Witness declared expressly, that he met with Mr. *Ireland* at the Bull-Inn at *St. Albans*, on Monday the 5th. of *August*, and went from thence with him to *Tixhal*, thence to *Nantwich*, and thence to *West-Chester*, continuing with him till the 16th. of the same *August*. He was yet more Particular, at the time of Tryal, than it hath been thought fit to expose in Print. The L. Ch. J. asked him, *What Road they went to Tixhal*. He readily answered,
The

The great Road: Down to Northampton, thence to Coventry, and thence to Tixhal. His Lordship asked him, *How he could recollect himself so, as to remember the days of the month.* He replied, *That noting down the Expences of his Masters Horses in his Table-Book, he could tell exactly as well the several Places they were at, as the particular Days of the Month.* But, it seems these Circumstances were too Good to be Published; As another was too Bad, *viz.* His Lordships Asking the said Witness, *Whether he lay with Mr. Ireland at nights, and not doing so, how he could be assured that he went not to London in the Night, and returned to St. Albans before Morning.* How great is that Partiality, which thus Bends a stately Judge, and makes him overshoot himself, even to the extremest and most ridiculous Folly! But to return to the consideration of this Testimony: You see it fortified by all manner of Circumstance, whereof each Branch was capable of being examined by the Credit of most worthy Persons, and such as might easily have been called for, besides the several Inn-keepers, &c. Which quality (as I have observed already) is always wanting to the Testimonies of *Oates* and *Bedlow*: They name Persons, indeed, as privy to what they say, but they are Such, as you cannot find, and perhaps are not in the World. Your Lordship was very zealous in pondering the Circumstances alledged by *Sarah Paine*, who only pretended, *alone and passing by*, to have seen Mr. Ireland in the Street, and might very possibly be mistaken as well in the Person, as the Time, it often happening in great Towns that one man is taken for another. And why do you not ponder the pregnant Circumstances of this most convincing Evidence? I assure you, this Question will be asked you in another place, and therefore you had best to provide an Answer.

Mr. Ireland and the Rest offering to Consideration, That P. 63, no Opportunity had been allowed them of sending for 64. such Witnesses as could have attested their Innocence,

desire a little time in order thereunto. But my L. Ch. J. tells them, That the Jury cannot Fast so long, [*He might have said, that the Blood-Thirsty Rabble could not do it neither,*] being neither to Eat nor Drink till they bring in their Verdict. I must confess that I am no Lawyer, and therefore cannot tell how consistent their Request was with the course of Tryals: But it seems reasonable to me, That if there were a way of suspending the Tryal after the Impannelling the Jury, Pleading, &c. in respect of Mr. *Whitebread* and Mr. *Fenwick*, [*one of the Arts of seeming Conscionable men*] there might be also a Means of suspending it in favour of Mr. *Ireland*. But if not: This (at least) might after the Tryal have been communicated to His Majesty (according to the usual Method of Honest Judges) that the Witnesses alledged might be sent for, and Examined, that his Majesty might see, not only what Clemency was due to the Prisoners, but likewise how far *Oates* and *Bedlow* were to be Credited for the future. What your Lordship did in this particular, I cannot tell; But we have had little reason from your Department since, to imagine that you did so. Nay, if my Informations deceive me not, you were as Industrious in procuring their Execution, as you had been to Condemn them.

Ib. 64. Your Lordship is very *brief* and *hasty* in repeating the Evidence for the Prisoners, when speaking of Sir *John Southcot*'s Servant, you only mention *his meeting with Mr. Ireland on the 5th. of August*, saying nothing of *his being with him for several days after*. You are guilty of so many Omissions of this kind, that I am inclined to think them rather Malicious than Casual. Your Lordship is likewise very ingenious in Comparing and Weighing the Testimonies on each side, and to such a degree, that what we want in Justice is made up to us by Art. You conclude, that the number of Witnesses was Equal, and yet (Canvass it which way you please) the Reader will find in the Tryal,

Tryal, whereunto I refer, That there were more Witnesses (and I am sure far better) for Mr. Ireland, than against him: which perhaps made you say, that *he was better prepared than he seemed to be*, that is, *than you had made him seem to be*, or else, *than you hoped he would have been, knowing how little Means he had of Providing himself*. But if you mean, (as I suppose you would have the World to understand) that *he was as well Prepared, as he could have been, though ever so much time had been allowed him*, you are much to blame; for, you cannot but imagine, that He would have been able to produce in his behalf the Evidence of all those worthy Gentlemen, whom he mentioned: since if he had failed therein, it had redounded to his utter Confusion, and fortified the Credit of the PLOT beyond Exception: Which would have been of such high Importance, that for this Reason alone (were there none else) those Witnesses ought in all Prudence and Honesty to have been called for.

Sir Denny Ashburnham (though fearful and unwilling P. 65. enough to *strive against the Stream*) Declares, That had this Discovery been Vouched only by the single Testimony of Mr. Oates, he should have doubted of it. What is this, but in other terms to say, *that Mr. Oates was not of such Credit as is necessary for a Witness*? Which being so, I see no reason why his Testimony should weigh in the Balance: If the Evidence be full without him, what need is there of him? If not, how can He add any Credit, who has wholly lost it? It is also certain, that the Testimony of a scandalous Person rather Diminisheth, than Increaseth the Credibility of an Accusation. The same Sir Denny speaks of a Letter sent to him from the Town of *Hastings*, with the Copy of an Indictment against Mr. Oates for Perjury, which he had put into Mr. Attorney's hands. Which, my Lord (Good Man!) says, must not be read against the Prisoners, *no, not for a World!* Why will

your Lordship suppress the King's Evidence? Or rather, How could it contain any thing against the Prisoners? Oh, yes: Certainly and without Jest, it would have been the most material Point against them, since it would have appeared thereby that some of them had once or twice admitted a most infamous Rascal into their Company. But why is it not read in behalf of those poor Prisoners, whom your Lordship seems to have so much Compassion for? Is it nothing in your Lordships Eyes, that the main Witness against them was a Perjur'd Villain? If that were so, Sir *Tho. More*, who had studied longer, and was surely not less Learned than your Lordship, lay under a gross Mistake, when he thought it Advantageous to his Cause, that the Witness against him had no good Reputation, but was of *light Behaviour*, a *Gamester*, &c. Which is much less, than what can be proved against Mr. *Oates*, and yet was alledged by that great Man in his Defence. Neither was he blamed (as is the Custom now-a-days) for aspersing the King's Witness: And we cannot suppose that so Learned a Man could err in this Point, by acting any thing against the Law, or that his severe Judges would have permitted him to do it. But your Lordship thinks it not to the purpose that these Papers should be read, and therefore they are shuffled away; and this is one part of that fair Play, which, as Advocate for the Prisoners, you so often promise them.

P. 67. Ch. J. *Scroggs* tells you, that *during the late Troubles*, the *Papists sided with the King*, not for his Majesties Service, but for their own shelter. What! Would they not have been Accepted by the other Party? If so; Then, I hope, you will acknowledge, that they are not the most Approved *King-Killers* in the World, and that it is no certain Sign, that those, who Malign and Persecute Catholicks, have an unquestionable Loyalty for their Prince.

Methinks

Methinks, the very Name of the *Pendrels* and *Giffords* *Ibid.* should even melt the hearts of the English Subjects. But, *alas!* Mr. Ireland, *You are much Mistaken: What you Alledge in your behalf, is the main Article against you.* They Pretend that we are Enemies to Kings, but we are truly Hated for being their most obstinate Defenders. Should we agree in this one Thing with the rest of the Dissenters, those *tender-Conscienced* men would not *scruple* to own us for their Brethren, and instantly protest that we differ'd from 'em in no *Fundamental* Point. The Pharisees (from whom a late English Poet not unfitly derives our Modern Zealots) accused the Saviour of the World, that he stirred up Sedition against *Cæsar*, and had resolved to *Depose* him, Usurp his Authority, and wholly *Subvert and Change the Government.* But (under those specious Pretences) the *true* reason why they hated him was, that he was not such a MESSIAS, as according to their fond expectations would help them to throw off *Cæsar's* Yoak, and make them such a GLO-RIOUS and REDOUBTED *Commonwealth*, as, now of a long time, they had Fancied, and promised themselves. Let therefore the World observe in these Transactions, as well who those are, that imitate the *Jews* in their *Accusations* and Indictments, as who (on the contrary) follow Christ in the nature of their Sufferings.

My L. C. J. *corrects* Mr. Pickering for *Falling off from his* *Ibid.* Father's *Vertue*, *Who, as he had told my Lord, was Slain in his late Majesties Service.* They say, 'tis ill when the Corrector is Guilty himself of that which he blames in another. His Lordship is very secure in this Point, being so far from Degenerating from his Father's Vertue, that he is rather much improved, since by some Vocation of Satan (who in many things Mimicks the Deity) from a *Butcher of Beasts*, He is become a most Renowned *Butcher of Men.* I cannot Omit here, what few Honest Men have Omitted in their common Discourse, That, whereas, a
Butcher

Butcher is hindred by the Law from being one of the Twelve in a Jury, it seemeth unreasonable that a Butcher's Son, one who in his Youth helped his Father in his Trade, and received all those Impressions of Cruelty during his tender years, and consequently (nay, perhaps, in a more eminent Degree) hath all those *Qualities* of Butchers, for which they are excluded from being concerned with the Lives of Men, should nevertheless be much more than a Jury-man, *viz.* a Judge, and That, in *Causes of Life and Death*. Which, truly, I take not for an Idle Speculation, but for a very Solid one, and, at least, grounded on the Reason of the above-mentioned Law. And perhaps SCROGGS is as great an Instance of the Wisdom of this Sanction, as any Age hath ever yet produced, and ought to breed in us no small Veneration for the Prudence and Dictates of our Ancestors. But such is the hard Fate of these Innocent Lambs, That the Witness against them is one whose Youth passed in Lying and Perjury, (as you may learn from Sir *D. Ashburnham*, and the Town of *Hastings*) and their Judge is one whose *tender Age* (if he had any such) was seasoned in Cruelty and Slaughter. Behold two fit Instruments for such an Abominable Transaction! I hope that my Lord *Scroggs* will not be angry at his being Compared with *Oates*; for, if *Oates's* Credit be not good enough to keep Company with his Lordships, neither was it sufficient to have taken away the Lives of Men.

P. 68. Mr. Serjeant *Baldwyn* leaves the *Summing up the Evidence* to the L. Ch. J. not only because he observes with how much Art his Lordship doth it, but also (as I am apt to believe) somewhat the more to ease his own Conscience, and dip himself in this Blood as little as he can.

Ibi l. In the Judge's *Summing up the Evidence*, I observe, First,
68. & that he every where supposes the Matter of Fact, which,
seq. as I conceive, he ought not to have done, but plainly
Stating

Stating the Case (and doing nothing beyond his Task, which was only to Sum up the Evidence) to have left the Decision to the Jury. Next, that having partially, *viz.* after his fashion, Summed up the Evidence (whereof I omit here the Particularities, having spoken of most of them elsewhere) he falleth to Rail on the Catholick Religion, Inveighing, Raving, and often Contradicting himself, for three pages together. He tells you that *We Dispense with any Oaths, Tests, &c.* and yet he knows (as I have desired you to consider already) that we lose our Estates, Liberties, and Lives for refusing Oaths and Tests, and whosoever does otherwise, when occasion requires, is Excommunicated and cast off from our Body; so far is he from being Dispensed with. He tells you that *some of this Communion may be Saved*, and that, *there are many Honest Gentlemen of it*, and yet that *it is a Religion which unhinges all Piety and Morality*. Can you expect that this Judge should Observe and Censure the Contradictions of his Witnesses, when they are so frequent in himself? He declares, as if he also had been privy to the Conspiracy, that *the Jesuites do not tell the Honest Gentlemen of their Party the express Design they have of Killing the King, but they insinuate to them, that He is but one Man, and if He should Die, it were fit they were in a Readiness, &c.* Hold, my Lord! Sure, you forget your self: You are now to Sum up the Evidence, and the Witnesses have Sworn no such thing as you are talking of. But perhaps your Lordship (as I hinted just now) is one of the Plot, and puts in for the 200*l.* with this new Discovery. Mr. Finch is careful in the beginning that the Prisoners should not be Tried on the score of their Religion, or for being Priests, *lest*, as he says, *they should hold themselves Martyrs*. Why then is the longest and most material part of your Lordships Charge against them spent in venomous Harangue against their Principles? Moreover, is not this to suffer for their Religion,

ligion, when common Credence is denied them on that account, as your Lordship, *page 74.* says, it ought to be, and we find to our cost? But (to do my L. C. J. more Right than we have from him) I cannot absolutely say, that this Oration of his Lordship is such, as that I never met the like, though within the narrow sphere of my own Reading; For, methinks, even amongst the lowest Rudiments, and first Instructions of our Childhood (*viz. in Æsop's Fables*) we have one that very much resembleth it. The Wolf accuseth the Lamb, that drinking at the same River he troubled and soiled the Water wherewith his Grim Worship was to quench his thirst. The Lamb answered, That drinking much lower in the Stream than the Wolf, the Water, indeed, which the Wolf touched came down to him, but what he medled with could not ascend to the Wolf. One, who heard this, would think, that the Lamb was now in a pretty safe condition, having made so reasonable a Defence. But, alas! Silly Lamb, thou mightest have spared thy Irrefragable Argument. The Wolf's Business is not to punish thee for any Crime of thine; but to devour thee for the satisfaction of his own Appetite: It is not to TRY whether thou art Guilty, or no; but to Condemn thee right or wrong. And therefore having little or nothing to say against the Defence which thou hast made, He tells thee, That thou art of a perverse and bloody Generation, that the Sheep have always Persecuted and Destroyed the Innocent Wolves, and that for this alone thou oughtest to suffer. And though This be as false as that *the Water ran up against its Stream*, yet what Remedy? He is a Wolf, and Thou art a Lamb: He is a powerful Judge on the Bench, and Thou art a poor Shackled Prisoner at the Bar. The Application is easie: Our Judge, indeed, accuseth us of a greater Crime, but his Witnesses are so infamous, and their Story so improbable, absurd, unnatural and contradictory, that he is forced to follow his Brother Wolf's precedent, and, flying off from the present feigned Treason, to calumniate our Principles, and to charge our whole Flock with Cruelty; Declaring that we are those, who Murther Kings, Spoil Churches, and Subvert the Old Established Religion; That we make no Conscience of Oaths, but Swear any thing that is for our turn; That we Banish, Imprison, and Hang the harmless Protestants, and excessively afflict those Meek Sons of the most Moderate Church of the World; And, in a word, that we are meer Infidels and Butchers. Who doth not see that here the Wolf is not content only to cloath himself in the Sheeps skin, but

endea-

endeavours to cast his own ugly Hide on the Sheep; And that it were most easie for us to tell, at whose dore King-Killing, Sacriledge, and Perjury do really Lie, as also who they are, that innovate and change Religion, and Murther those who joyn not with them, and lastly, where the True Butcher is, and this as well Metaphorically as Literally? But in so doing we should talk to as little purpose before our Inexorable Judge in this Court of Judicature, as heretofore the Lambs bleated to him at the Shambles. But before I hold my peace in this matter, I must desire you to consider with what Equity and Reason it is, that my L. C. J. who refuseth to hear the Letter from *Hastings*, and Record from *St. Omers*, in favour of the Prisoners, doth at the same time Influence the Jury towards the taking away their Lives, by Fathering evil Doctrines on them, not only without Witnesses, or any Authentick Record under Oath, but even without quoting the Decrees of any General Council, or Pope, or so much as the Testimony of one private Catholick Author to confirm what he says: And this, when he is so very Ignorant and little versed in our Principles and Practices, that he is unacquainted with the most Publick and Ordinary ones amongst us; Witness his Fancy that *Catholicks were obliged to Fast on Saturday-nights* [in the Tryal of *Hill*, &c.] with several other Passages in all the late Tryals. I say, with what Conscience doth he in his Charge to the Jury lay most grievous Imputations on the Prisoners without any Proof, and yet reject such well-grounded Testimonies, as I have mentioned, in their behalf?

The L. C. J. speaking of the Witnesses produced by P. 71. Mr. Ireland to prove his absence from *London* at such time as *Oates* and *Bedlow* accuse him of committing Treason there, says thus to the Jury. *But if it should be a Mistake only in point of Time, it destroys not the Evidence, unless you think it necessary to the substance of the thing. If you charge one in the Month of August to have done such a Fact, if he deny that he was at that place at that time, and proves it by Witnesses, it may go to Invalidate the Credibility of a man's Testimony, but it does not Invalidate the Truth of the thing itself, which may be true in Substance, though the Circumstance of time differ, and the Question is, Whether the thing be true?* And, I pray my Lord, how shall that Question be decided, but by the Credibility of the Witnesses? And when That is *Invalidated*, through their

G

mani-

manifest failing in Circumstances, what becomes of the Question? And now it is another Question, Whether Rage, or (contrary to what *Festus* apprehended in *St. Paul*) too little Learning has made you mad? And I know not (excuse this little piece of just Indignation) whether your *Cruelty* or *Irrationality* gives you the greatest resemblance to Savage Beasts. I see it had gone hard with *Susannah*, had your Lordship been her Judge, neither would the Disagreement of the Witnesses touching the Trees, under which they pretended the Crime to have been committed, have rescued her Innocence; for, your Lordship would have Reasoned, as you do here, and have told her flatly, that Circumstances were *light* and *frivolous* things, and not to be heeded by the Gravity of a Judge; unless perhaps being likewise a *Knight*, you would have thought your self obliged to more kindness for a *distressed* Lady: Although (if Witnesses of better Reputation than *Mr. Oates* I speak truth) I have cause to imagin, that her constant and firm Chastity would have recommended her as little to your Favour, as Loyalty doth the Papists. Which notice I add to that which I have already given, that our Christian Neighbours may the better understand into what Hands we are fallen, and that our Deluded Adversaries may not take all for Gospel, which such a Black Evangelist Preacheth to the Rabble. Are not *Circumstances* a Part of the Accusation? And is it not express'd in your own Indictments, That your Prisoners committed their Crimes *on such Days*, and at *such Places*? Now, suppose, they should have acted those Crimes *on other Days*, and at *other Places*: What then? They are only accused for what They did at those *Times* and *Places* which you specify, and not for what They may have done *elsewhere*, and at *another time*. Suppose that *Lex Talionis* were in force and fashion amongst us, and your Lordship should be Indicted for Murthering Justice Godfrey on the 12th. of October, 1678. in the E. of D's Cellar, What course would you take, and how would you Defend your self without Recurring to these pitiful Shifts (as you account them) viz. the Circumstances of Time and Place? How is it possible that such obvious things as these should escape your Reflection, or that Malice should sink so deep into your Soul, as not only to choke all Humanity, but also to quench the very last spark of Reason in you? Hear another Corollary of your Lordship's Argumentation. Suppose, That I should Accuse you of the abovesaid Heinous Crime, and (being not so well accomplished

shed, or so good a Traveller as Mr. Oates) should neither Swear the Fact my self, nor produce any other Witness thereof, this Want of Evidence would not *Invalidate the Truth of the thing it self*, which might be *true*, though it could not be proved: and the Question would be, *Whether the thing were true?* Ergo, The Jury ought to find you Guilty. How you would like this way of Arguing, (though it be *your own*) in *your own* Case, it is hard to tell: But in the mean time the World sees that your Logick is as bad as your Justice, and your Syllogisms as *false* as your Witnesses. It will not be amiss to take notice here, of what is now in many Mouths, which, I fear, consult their Reason very little in what they say, viz. *that it does not necessarily Follow, that whatever is Declared to us by Rogues, is False*. I confess it. But much less does it Follow, that it is True, or that on their Testimony alone it ought to be Believed. I am both weary and ashamed of Trifling thus; but such is the misery of our Case, that we are forced to prove, that *the Sun Shines at Noon-day*, and that in *Arithmetick* two and two make not five, but four. Good People, The same way of Arguing, if it were of any worth, would cancel the Credit even of Credible Witnesses: There being no Necessity in Nature that Men of good Reputation and Esteem should always speak Truth. You perceive then, what weak *Arguments* are strong enough against Papists, and consequently that Judge Scroggs had good cause, as well to say that an English Cobler was able to Baffle the Wifest of their Priests, as also to employ no better Philosophy against them, than what he might have obtained without forsaking the Shambles.

His Lordship having tired his Lungs with Calumnies, P. 76. and Invectives against Religion, *I return*, says he, *to the Matter of Fact, which is proved by two Witnesses, and the concurrent Testimonies of the Letter and the Maid*. The Letter which your Lordship pretended at first to Boggle at, as nothing to the purpose, is now (I suppose for want of better Evidence) thought very Material. But why doth not your Lordship *Return* likewise to lay before the Jury, What was Alledged in behalf of the Prisoners. You hope, that your Long, Impertinent Harangue has put that out of their Heads, and you think it not *convenient* to trouble them with it, now they are just going to Consider of their Verdict. You cannot take leave of us without one of your Old In-

ferences, and such as we had from you in Mr. Coleman's Tryal. *The matter is plain*, say you, *that there was an Intention of bringing in Popery by a Cruel and Bloody Way*; for, [mark the reason] *I believe, They could never have prayed us into their Religion*. A most convincing Argument, and reserved for the End of the Declamation! Because his Lordship fancies that Catholicks could never *Pray* him and his Brethren into their Religion, therefore they had an intention of introducing it by a *Bloody Way*. What if his Lordship Believes, that it is impossible for them to Convert *England* by their Prayers? doth it follow, that *indeed* it is so? And if they are not able to effect any such thing by their Prayers, (which notwithstanding most commonly is hoped for by such, as truly think themselves in the right) doth it follow, that they know the Inefficacy of their Devotions, lose those Hopes, and, lastly, intend these *Bloody Means*? And must poor Men be hanged, because his Lordship *Fancies* otherwise than they do? Next to this admirable piece of Logick, there follows another of those pretty Quirks, wherewith this *Wanton-Cruel* Judge (like a Cat with a Mouse) sports himself with the Lives of Men. He leaves it to the Jury to consider, *Whether Mr. Oates be not rather Justified by the Testimony offered against him, than Discredited*. This likewise is an excellent Sentence for a young Rhetorician. It seems then, that it was happy for Mr. Ireland (and his *Close Confinement* was a very great Kindness) that no more of his Witnesses were sent for, since, instead of making for him, they would, by making his Accusers to appear *greater Villains*, have strengthened their Credit. I exclaim not, because, I hope, the Reader will save me that labour, by doing it himself. But, after all, It is a Comfort, that the Papists are not yet *Rogues* enough with his Lordship, to be *Believed*. Pray, my Lord, what way is there of Defending Innocence? What way is there of taking off the Credit of False Oaths? If there be none, why had you not told your
Prisoners

Prisoners so at first? What needed the tedious Formality of a Process, and that Good Will wherewith your Lordship pretends to hearken to their Defence? And if there be Any, what Other is it, save only by proving the Witnesses not only to have been Infamous and Perjur'd heretofore, but also to have *sworn False* in their present Depositions? Both which were proved here, but, in your Lordships opinion, to no other purpose, save only to Corroborate the Accusation, and Weaken the Defence of the Prisoners. I know, you say, that *When any Enormous Crimes are discovered to us by some of the Complices, there are no other Witnesses to be expected, but such as have been Rogues.* And shall it then be in a Rogue's power, by pretending himself a *Complice* in some such thing, to take away the Lives of as many *Honest Men* as he pleaseth? must he not be obliged to produce at least some Marks of the Certainty of what he says, which independently of his own bare Assertion are manifest to us? This being a Circumstance which True and Real Discoveries seldom want. And truly, if no such thing be required from these pretended Discoverers, the Commonwealth is in a sad Condition, since every unconscionable Villain hath far more power over its Members, than the Sovereign Prince. Suppose that two notorious Robbers, on promise as well of Pardon for the Detection of their Complices, as of the Estates and Goods of such as they should Convict, should Accuse some rich and well-known Citizens of *London*, men of very good Name, and never observed to keep ill hours, or do any thing else, which might render them suspected of such a Guilt, and that no stoln Goods were found, or appeared to have been in their possession, nor any other Evidence was produced against them, save only the *Assertion* of these two Infamous Men, of *several Robberies committed by them at such and such times*: This I presume, would not be sufficient to condemn the Citizens, unless they should happen to be Papists. Nay, put this also into the Case, that the Citizens should prove, that they actually were at their own Houses in good and Vertuous Company at those times, wherein their Accusers affirm them to have been engaged in Felonies abroad. Would not this serve their turn neither, because (according to his Lordships Doctrine) *the Thing might be true in Substance, though the Circumstance of time differed*? If matters go thus, Robbers may take a wiser and easier Course of getting Money, than by venturing their Necks and taking pains for it on the High-way. And the Offer of 200 *l.* apiece will not fail of Raising a large Company for Captain Oates. Good God! that the Laws Instituted by the Wisdom of our Ancestors to
be

be the Terror of Evil-Doers, should now (through the Corruption of our Age) become not only their Support, but the very Instruments of their Mischief! But this Argument, viz. *That Mr. Oates having been so great and notorious a Villain, is therefore the more Credible & Witness of this pretended Villany*, is extremely Fallacious on another score; For, who doth not know, That for such Treasons, wherein so much Secresie and Trust is requisite, and which (as you say) proceed from a Principle of Religion, Scandalous, Extravagant, and *openly Debauched Persons* are never chosen, but, on the contrary, such as are Bigotted, Superstitious, or, at least, Hypocritical?

Ibid.

Immediately before the *Grave* but *Malicious* words---*Let Prudence and Conscience direct your Verdict, and you will be too hard for their Art and Cunning*,---preceded this worthy Sentence, *And now, Gentlemen, to your hands we commit these Murtherers, and if you do not find them Guilty, you are all Murtherers*. Which being left out of the Printed Tryal, is here supplied, it being great pitty that so memorable a Passage should be forgotten, which may serve for a lasting Monument of his Lordships Justice, and hereafter be inscribed on his Tomb-stone, with an---*Hic jacet Author istius Sententie*. This was that Blow, with which his Lordship, like an expert man in his Trade, knockt them All in the Head, leaving only to the Jury to let out their Blood. From the Cry whereof I beseech our Lord to deliver our poor Nation, though, I fear, there are many in it, whom I cannot excuse with a---*Nesciunt, quid Fecerunt*.

Ibid.

The Jury after a short Recess (the Judge having done their Business to their hands) found the Prisoners Guilty: And his Lordship tells them, that *they have done like very good Subjects, and very good Christians*, but (Correcting himself) adds, *that is to say, like very good Protestants*. And herein I joyn issue with his Lordship; for, Thus the Protestants Began, witness the Tryals of Sir *Tho. More*, Bishop *Fisher*, &c. in King *Henry the Eighth's* time, Thus they Continued in the days of *Queen Elizabeth*, and the succeeding Ages, And thus, I believe, they will End. And his Lordship does also

so like a *good Protestant*, and a *good Persecutor*, **for**, having Condemned them *Unjustly*, he Insults over them *Barbarously*, Crying out---*And now much Good may their Thirty Thousand Masses do them*. Methinks, though his Breeding had been always amongst the Beasts, (nay amongst *Savage ones*) he might yet have learnt more Humanity; since the Poets tell us, that the Fiercest Beasts Scorn to *Trample* on those which they have *thrown down*. *Prætereunt Subiecta Fere, satis est Prostrasse*, &c. Are you not afraid of being one of those who are to Cry out another day, *Hi sunt quos aliquando habuimus in derisum*, &c. These are They whom heretofore We Despised and had in Derision, &c. Methinks, you provide apace for that *lamentable Harangue*.

Mr. Ireland being asked, *What he had to say, why Judgment should* P. 78. *not be pronounced against him*, answered, that no Time had been allowed him for the Bringing in of His Witnesses, &c. Mr. Recorder replies, that *he had not Objected This before the Jury gave their Verdict*. Now, I appeal to any one, who hath perused this Tryal, whether Mr. Recorder's Memory be not as Bad as the L. C. J's. Justice, and consequently whether their Titles do not very ill Agree to them Both. It being evident, that Mr. Ireland had often made the above-mentioned Objection, and long before the Jury either had given their Verdict, or withdrew to Consult thereof.

Mr. Recorder makes a very grave and serious Speech, seeming to P. 79. be in earnest, and fully perswaded that the Prisoners were Guilty, & seq. which is another Argument with the foregoing Observation (if you will not charge it on Defect of Memory) that he gave but small attention to the Tryal, and *pinn'd his Credit on his Brother Scroggs's Sleeve*, and perhaps slept in his own: since likewise you have another Instance of this Slumber in his upbraiding Mr. Ireland [p. 80.] *with sending Beyond-Seas to his Fellow-Jesuites, that they should Preach against Oaths of Allegiance and Supremacy*; which if you turn to the 18th. page, you will find to be Mr. Whitebread's supposed Crime, and was never Objected to Mr. Ireland.

You dare (says the Recorder) *Conspire to Murther the King*: Nay, not P. 81. *only so, but you dare make your Consults thereof publick*. Sir, This indeed, is very Bold and Daring: But is it also as Prudent? Mr. Finch says (as I have told you often) *That in this Plot, the Jesuites had done all that*
the

the VVit of Man could do, &c. And doth such a Management, as you here describe, seem so Subtile to your Worship? And yet, methinks (with Mr. Records leave) They have kept these Consults very *Private*, since after all the Art that hath been used to discover them, there hath not yet appeared the least Probability of any such thing.

Ibid.

Mr. Recorder is much troubled, that Mr. Grove should not think smooth Bullets bad enough for his wicked Enterprize, and therefore should resolve to Chew them with his Venomous Teeth. But, truly Sir, his Teeth must be *strong* as well as *venomous* (unless their *Venome* have the quality of *Aqua fortis*) or else they are like to make but small Impressions on Silver-bullets, as these are said to be.

P. 82.

Mr. Recorder declares, that *they have had the full Benefit of the Laws* Established in England, and those the Best of *Laws*. If this be true, I shall put into my Litanies, *From the Best of Laws, Good Lord deliver us*. I will tell you what kind of Law there is at *Paris*. Not many years since, A French Baron, maliciously Contriving the Destruction of a Gentleman his Acquaintance, Accused him of certain Treasonable Words, and brought Two Witnesses thereof, whom he had procured to be present, whilst He and the Gentleman *Discoursed* together, though on no *such Subject* as was pretended. On this Information, not only the Accused Gentleman, but also the Two Witnesses were Clapt up, and Separated from one another; and (if my Memory fail me not) the Baron himself was Confined. And, in conclusion, through the Care of the Judges, and the Strictness and Honest Art, wherewith the Witnesses were Examined, the Forgery was happily Detected, the Innocent Gentleman Acquitted, the Baron and Witnesses (who then owned their Villany) Confounded and Punished. And this under a Prince, who (you know) is as Severe a Chastizer of the Guilt of Treason as Any under Heaven. Now let us behold your Transaction. You, indeed, Imprison the Accused, and are Strict enough in Cutting off all Correspondence from them; but, as for the Accusers and Witnesses, you suffer them to Herd together,

gether, as much as they please, to contrive, adjust, and shape their Depositions to the best Advantage, and are so far from Endeavouring by *Separate* and *Cross-Examinations* to find out the Truth, that your whole Business is to Excuse and Palliate such Contradictions, as (notwithstanding the Liberty which you give them, and Care which they take, do yet) most frequently slip from them, and would (were it not for your Fallacies) most Apparently Invalidate their Evidence. And therefore if you will have me to joyn with you in Calling our English Laws the *Best* in the World, you must (at least) give leave to say, that our Lawyers (the Interpreters, and Managers of them) are the *Worst*.

He brags, that these Prisoners were not secretly destroyed, but had the Formality and Justice of an Arraignment, were permitted to make their Defence, &c. I ask, whether the Formality of the late King's Tryal Added to, or Diminished the Heinousness of the Murther? Which, being in haste, I leave Mr. Recorder to Answer. And in the mean time, let me tell you, that your *Tryals* are more Unjust than *Private Murthers*, destroying not only the Person, but also his Credit and Good Name: And where they do not so (*viz.* amongst Honest and Understanding Men) they Defame the Nation.

He says that Mr. Ireland had a kind Sister, who took care to bring his Witnesses. But what signified this, without a kind or a just Judge P. 83. to prefer the Evidence of Worthy and Unblamable Persons before that of notorious Rogues and Villains?

After the Tryal they give you an Account of the Execution of two of these Prisoners, but (as they have done hitherto, in all Narratives of this kind) Conceal the Protestations, which the Dying Men made of their Innocence, and thereby Discover their own Malice and depraved Mind, which endeavours all manner of ways to keep the Knowledge of the Truth from the World.

H

Having

Having finished the Task, which is promised in my *Title-Page*, perhaps, it will not be amiss to put my Readers in mind of that considerable length of Time, which passed between the Condemnation of these Prisoners, and their Execution; and give the World some account of those Causes, which moved his Majesty, for more than a whole Month (and amidst the Tumultuous, and Old-Fashion'd Cries for *unjust JUSTICE*) to withhold his Royal Consent to the Death of Such, as now in the General Esteem were thought Unworthy of the least Shadow of Mercy, whose Principal malicious Design was Believed to have had no less an Aim than against his own most Sacred Life, and who neither asked Pardon, nor so much as acknowledged any Guilt. Not to mention such Particulars, as had given His Majesty sufficient Reason not only to Suspect, but also to Conclude the Infidelity of these two Informers, *Oates* and *Bedlow*: [I mean their Wicked and Indigent Lives, the vast Improbabilities, and gross Contradictions in their Swearing, which this day Accused, and to morrow Acquitted the same Persons, and *vice-versâ*; Now they tell you, that *they never saw the face of the Prisoner*, and anon, that *they have eaten a Bushel of Salt Together*, with several other things of the same colour; whereof His Majesty had the *first* and *best* Knowledge.] I shall only speak of such Informations and Addresses, as during that time were made unto Him in behalf of the Prisoners. It was Alledged by several Petitions delivered into his Royal Hands, that from the 3d. of *August* to the 14th. of *September*, 1678. Mr. *Ireland* was constantly in the Country (and for the most part) in *Staffordshire* and thereabouts, whereas he had been Condemned on the Supposition of having within that time committed Treason at *London*. In confirmation whereof several Letters were written, and shewn to His Majesty, and That, not only from Catholicks, but also from Protestants, and Those, Persons of Quality, viz. Justices of the Peace and Parliament-Men: And Multitudes of Witnesses were offered to be produced whensoever His Majesty should think fit to vouchsafe them an Hearing. But that you may discern whence those Letters came, and who those Witnesses would have been, I will here subjoyn the Account of that Journey of Mr. *Ireland*, which after his Sentence was written by himself, and sent to his Majesty.

The Account (Copied from his own Hand) is as followeth, And the Persons set down in *Capital Letters* are (as I am told) Protestants.

VVhereas

WHEREAS Mr. Oates on Monday the last of September, 78. produced a Letter, and took his Oath that I VVrit it from St. Omers, about the middle of August before, and the other VVitnefs in Court that he saw me in Mr. Harcourt's Chamber in Dukestreet, about the latter end of the same August. I say, that having bought a Horse of one Mr. Thomas Eccleston, out of Lancashire, standing at the Red Lion in Drury-lane, on Saturday the 3d. of August, 1678. about two of the Clock in the Afternoon; having paid Richard the Hostler for the standing of my Horse, in presence of Mr. Perkinson, Master of the Inn, (as I took him to be) and Mr. Fenwick; I took Horse, and that Night came to Standen beyond Ware. Sunday the 4th. I Dined with Sir Edward Southcot, Mr. Francis Gage, Mr. Parsons, Mr. Hinde the PARSON of the Town, and other Chief Inhabitants, invited by my Lord Aston. Monday the 5th. I went with my Lord, Sir Edw. Southcot, Mr. Gage, and Servants, to St. Albans, and joyned Sir John Southcot, his Lady, Children, and Servants, at the Bull, as I take it. Tuesday the 6th. We Lodged at the George in Northampton. Wednesday the 7th. at the Bull, as I take it, at Coventry. Thursday the 8th. We came to Tixhal, staid there the 9th. 10th. 11th. 12th. Tuesday the 13th. leaving my Horse to have his Back Cured by the Smith, I Borrowed another, and went with Sir John Southcot, Sir Edw. Mr. Francis Aston, Children and Servants, Item, my Old Lady Aston to Nantwich, and Lodged at the Lamb, as I take it. Wednesday the 14th. I Lodged at the Star in Holywel. Thursday the 15th came back over the Sand, and Lodged at Chester, at the Greyhound, as I take it. Friday the 16th. came back to Tixhal. Saturday the 17th. went upon my own Horse to Wolverhampton to see two Aunts, staid there the 18th. 19th. 20th. 21st. 22d. 23d. 24th. 25th. in that time among others I saw Mr. Pursal, Son to Mr. Pursal, come from London to see his Father and Friends. Item, Mr. Charles Gifford came to see his Brother Thomas where I Lodg'd, with my Aunt Harewel: Once I Din'd at Mr. Winfords, where was his Neece, Sir John Winford's DAUGHTER. After Dinner came two of Esq; Lusons DAUGHTERS, and others, to play at Cards. Friday the 23d. I went with Mr. Winford's Daughter and Neece, &c. to Litchfield, Din'd at the George, and were shewed the Minster by Mr. SHIRLY Schoolmaster of the Place, and his WIFE, their Kindred, and returned to Wolverhampton. Monday the 26th. I went back to Tixhal. Tuesday the 27th. I was at the Horse-Race at Edginhil, where Sir H. Goff distanc'd Mr. Chetwins. Wednesday the 28th. I Din'd at Bellamour, Invited by Mr. Walter Aston, with others. Thursday the 29th. at Tixhal Bowling-Green I saw Mr. CHETWIN, spoke particularly with Sir Thomas WHITGRAVE, Mr. John Powtrell and his Brother William of Westthalam, in Darby-shire, Mr. Walter and Mr. John Aston, Mr. Fowler and his Sons, &c. and that Night went Home with Mr. Heveningham, and Sir James Simons his Son-in-law to Aston, and part of the way

Remarks on the Tryal of

With Mr. Dracot, and one Mr. Collier. Friday the 30th. stayed there. Saturday the 31st. I went home with Mr. Richard Gerard of Hilderston. Sunday the 1st. stayed there. Monday the 2d. with him I Din'd at one Mr. Crompton's, with Mr. Bidle, my Lady Gorings Son-in-law, and through Stafford and Pancridge came that Night to Boscobel. Tuesday the 3d. of September, stayed there. Wednesday the 4th. came again to Wolverhampton to my Aunt at Mr. Tho. Giffords, stayed there the 5th. and 6th. Saturday I went back to Tixhal. Sunday the 8th. stayed there. Monday the 9th. with Sir John Southcot, Sir Edward, my Lady, Children and Servants, I came to the Bull, as I take it, at Coventry. Tuesday the 10th. we Lodged at the Alter-Stone in Banbury. Wednesday the 11th. I met Robert Hill, Mr. Benjamin Hinton's Man upon the Road, and spoke to him: Baited at Alisbury, and Lodged about 11. Miles beyond. I have forgot the Town and Inn. Thursday the 12th. we Baited at Kingston, and came home to Mestham. Friday the 13th. I stayed there, and sold my Horse for 7l. to young Mr. John Southcot. Saturday the 14th. I came upon him with William, Sir John's Man, to lead him back, set up in Southwark, and came over to Somerset-House-Stairs, to my Lodging at the White-Hart with the said William. This 23. of December, 1678.

W. Ireland.

Had Mr. Oates given us so good a Journal (and capable of such Attestations) of those few days which he pretends to have spent in England about the 24th. of April, 78. we should not have scrupled the Believing him. Indeed it is not a little to be admired (and must be the effect of a Regular and well-ordered Life) that Mr. Ireland should Recollect himself so far, as to be able to give so punctual and exact an Account of that Journey: But it would be much more wondertul, that any one, seeing what Witnesses there are to each step thereof, should prefer the Bare Assertion and Absurd Tale of two Infamous Rogues before it. And therefore how can it seem strange, that his Majesty should most unwillingly consent to the Shedding that Blood, which he had so much reason to believe Innocent? And (laying apart the Motives of *Precise Justice*) If we consider some passages of This Journal, and such a Sence as the mention thereof must needs Create within His Majesties Royal Breast (I mean, That of Mr. Ireland's being at Boscobel, and, most probably, Delighting himself with the sight of the Sacred TREE, wherein his near Relations had been the Happy Instruments of Saving that Prince, against whom he was now falsely Accused to have at the same time [*viz.* whilst he was actually at Boscobel] Conspired at London) With what Backwardness, With what Reluctancy, With what Force and Grief of Heart

Heart shall we imagin, that our most Gracious Sovereign gave way to the Death of this Man? I doubt not, but it was Such, as that we may safely say, that it was impossible for him to afford a greater Demonstration, or invent a plainer Evidence of the Extreme Desire he hath, of Pleasing his People.

A P P E N D I X.

THE Press being at work on the last Sheets of the foregoing Piece, two Fresh Narratives (*viz.* The Tryals of the Five Jesuites, and of Mr. Langhorn) came to my hands: Wherein Partiality and Injustice are heightened to such a Degree, that, should I have a mind to lengthen my Remarks with such matter as these two most Fertile Fields afford me, it would be impossible for me to raise my Expressions, Exclamations, and other necessary parts of Writing to such a pitch, as were needful to make them hold proportion with my Subject, and by answerable Increases to correspond with my former Discourse. I thought, That, when I began this Work, Oppression and Tyranny were arrived at their utmost stature, but it appeareth to me now, That, what I took to be Manhood (if I may so speak) and Full Growth, was only the Youth or Infancy of a Giant. And if the Task seemed then to exceed my Forces, with what hopes can I undertake it now, or How can I better express the Sence, which I have thereof, than by borrowing the High Notion of a great Poet, and Crying out *Monstrum! Horrendum! Informe! Ingens!*-----and so fall into a most profound and unalterable silence? However, I must pick out a few Points, not the most observable, but such as bear some Relation to the Preceding Remarks.

My L. C. J. North says [in the 5th. Page of the Tryal of Mr. Whitebread, &c.] that *The Charge of the Jury* [concerning the Deliverance of the Prisoners] is not full, till the Court give them a Charge at last. And concludes, that till the Charge of the Jury be in that manner Full, any Tryal may be suspended, so as to be brought on a second time. If this be true, then (what I have observed in the 36th. page of these Remarks) the Pretence which Judge Scroggs made use of, to deny a farther time to Mr. Ireland for the Bringing in his Witnesses, by saying, that *The Jury were neither to Eat nor Drink, till they brought in their Verdict*, was most uncharitable and feigned; since, when Mr. Ireland desired this, the Jury had not had their Charge at last, and consequently (according to this Opinion) the Tryal might have been put off till another time, without any necessity, that those Twelve Gentlemen should have Starved, or the Prisoners been Acquitted. I see the Lawyers deal with the Statutes,

as the Ministers do with the Scriptures, and force them to serve their *turn*, whatsoever it be.

I must confess, that Mr. *Oates* and his Comerades take care, that we may not be Cloy'd with the same old Stuff over again; but that we may have some Variety for our Money. And therefore in every one of these Tryals we have their Evidence in a new shape. In Mr. *Coleman's Tryal*, Mr. *Oates* sees 80*l.* at *Wild-house*, and a Messenger ready to carry it, whom he never saw before nor since, and at the same time and place he sees Mr. *Coleman* give the Messenger a Guinny, &c. In Mr. *Ireland's Tryal*, He sees this Money paid in Mr. *Coleman's* presence at Mr. *Harcourt's* Lodging near the Arch in *Duke-street*. And in Mr. *Whitebread's Tryal*, He goes from *Wild-house* with that Messenger, (whom, as he said, he never saw, since he saw him at the said *Wild-house*) to Mr. *Harcourt's* Lodgings in *Duke-street*, &c. And (in the same Tryal) *Bedlow* tells you that this Money which lay upon the Table and was paid to the Messenger (according to Mr. *Oates*) in Mr. *Coleman's* presence, was after Mr. *Coleman's* departure taken out of a Drawer, and given to the Messenger, &c. In Mr. *Coleman's Tryal* [p. 29.] Mr. *Oates* Swears that the last time that ever he saw Mr. *Langhorn* was within a day or two after the Consult in *April*, and in Mr. *Langhorn's* [p. 13, 14.] that he heard considerable Treasons from him the *July* or *August* following, and [p. 18.] that in those two Months he had conversed with him once or twice, and [a little after] twice or thrice. I must confess, that were it not out of Respect, and for fear of *Aspersing the King's Witness*, I should say down-right, that Mr. *Oates* was Forsworn in one of these places. Although, on the other side, I can hardly imagin, that it is a necessary part of my Allegiance to Believe Contradictions: Which in my Opinion, is as difficult, as to number those which occur in these Tryals.

And now, lest you should not rest satisfied with what I have said in Vindication of that Letter which summoned one of the Jesuites to their Congregation at *London*, &c. you shall hear what Judge *Scroggs* says of it in the 40th. p. of Mr. *Whitebread's Tryal*, where (speaking of the mention there of a Design requiring Secrefie, which he would have to be an intention to Kill the King) after having insulted over the Priests, as over so many Ignorant and Illogical Heads, he hath these words.----- Does any man Write plainer than this, when they Write of a thing that is of such a nature? Is not the Danger too great to hazard that Fact, which they call the nature of the thing, to intrust it in a Letter?----- And if you consider the person that VVrites: a Jesuite, or a Priest: Are Priests ever plain? And Will you expect plainness here, when in things of ten thousand times less moment they don't write plainer? Is it not known that you have not a Profelyte, that you do not keep under Obligations as close as your Confessions are? Have you not taken here, as it is Sworn, a Sacrament of Secrefie? Is there a VVoman that you Convert but in the Dark? or a Papist made out of a Priest's hole? Are not all your
Deeds

Deeds under ground? And do you work with any Light, but that of a Dark-Lantern? In which words his Lordship, as if, really, he had Commiserated that Poor Defence which he Upbraids, hath, in my mind, made a very good one himself for his Prisoners, and so, at length (though perhaps unwittingly) is become their Advocate. For, if it be certain, That Priests are never plain, that in matters of ten thousand times less moment [than what is here spoken of] they do not write plainer, That the *making a Papist, or Profelyte*, and even the *Conversion of a VVoman*, are things *which* (in their opinion) *require Secresie*, and are kept in the *Dark*; I think it follows with much easiness; first, That *à Fortiori* the Design of Holding a Congregation in *London* (and of Meeting 50. of them in a Body together, whereof any One publickly known would be an Eye-sore) must needs appear of *such a nature* to these Cautious men, as that they would think themselves concerned to keep it extremely Private, being (as is obvious to the meanest Apprehension) of far greater moment than the *Conversion of a VVoman*, or the like; And secondly, That it is Incredible that these Men should Write, and send by the Common Post, such plain Treasonable Letters as *Oates* and his Brethren testifie, and particularly *Mr. Dugdale*, who [in *Mr. VVhitebread's Tryal*, p. 29.] says, that he intercepted a Letter from *Mr. VVhitebread* to *Mr. Ewers*, wherein *Mr. Ewers* was advised in Express words to seek out Couragious and stout persons *for the Killing the King*: And this he swears was sent by the ordinary Post, though his Lordship had before sufficiently prompted him to more Probability, by saying, That *it was much that Mr. Whitebread should write such words in a Letter*, but the unskilful *Knight of the Post* had not wit enough on this hint from his Patron to provide a special Messenger for his Letter, whereby much of the Absurdity would have been avoided. I say, if it be true, as *Judge Scroggs* says, that no man writes plain, when he writes things of this nature, and that Priests are not plain in matters of ten thousand times less moment, How could it be believed, that the same Priests should so frequently put into their Letters such things in plain terms, as no other man in the world would do; and not only so, but also send them by the ordinary Posts? *Ex ore tuo re judico*. You see, my Lord, that you are Confuted out of your own Mouth. and Consequently, that it is not the Logick which you have learnt, but the Bench which you sit on, that renders you Unconquerable. *Non tu, sed locus.*

It is no wonder to me, that *Mr. Oates* from the depth of Poverty should on the sudden become a Banker, and have it within his power to lay out six or seven hundred pounds for the service of the Publick, since his Soul is worth much more than that comes to; and, let the price thereof be what it will, he has certainly too hard a Bargain in parting with it: But, I must confess, it would have puzzled me to find out, How *Mr. Oates*, whose Table is so well prepared for him, whose Raiment the Gravity of his Calling permits not to be

be expenceful, and, lastly, whose Obligations are *Those*, of the *Prodigal Returned*, should have had the occasion of Disbursing so much Money (in the Execution of his Office) were it not evident how many Journey-men he has been forced to hire for the proof (not to mention any other particular) of his being at *London* in *April*, 78. whereas when Mr. *Whitebread* was on his first Tryal, and afterwards at a Committee, he was not able to name so much as one, who had seen him there at that time. Now, these things cannot be done without Money, and therefore the Publick must allow it, on the passing his Accounts.

I hope (my Dear Countrymen) that you perceive at length, how easie it is for you, by the help of a little serious Reflection, to get from under those Mistakes, which the Craft of Evil Men hath cast upon you; and though the late frequent Tryals and Condemnations have abused you into a groundless (but most pernicious) Jealousie, if you once patiently Consider them, you will find that these Scorpions (which have Stung and Poisoned the Nation) afford such an Oyl, as can expel their own Venome, and will restore your Judgments to a sound and due Temper, whereby it be no hard task to Discern plainly, that it was not Danger or the Necessity of Affairs, but the Cruel Ambition of some amongst you (who care not on whom they tread, that they may arrive at their Designs) which hath, not only marked you out for God Almighty's Vengeance with stains of Innocent Blood, but also disturbed your Temporal Quiet, involved you in so much Expence (as well by keeping up the Train-Bands, as otherwise) interrupted your Trade, And, by this means, impoverished Many of your Families, And still Threatens the Ruine of many more. Nay (if it be not speedily prevented) it is hardly credible, that this Mischiefe should ever end, but in the Destruction of the whole Nation it self. And though (for the Reasons already given) I shall forbear to carry on my *Remarks* through the new Matter which now offereth it self, yet it will be the more Easie for you, from what I have said on the fore-mentioned Tryal (as from a Grammar or Paradigm) to direct your Consideration to those things, which are most notoriously observable in the others. For, What is it that is contained in these late Tryals, save only That Monster of Injustice (which I have there describ'd) grown Bigger, and proportionably increased in every Limb? Here is (that I may explain my self) the Improbability of the Accusation more apparent by farther Incoherences, and fresh Absurdities; The Falshood of the Witnesses more palpable by multiplied Contradictions, most different Editions of the same Evidence, and (therefore) plainer Perjuries; The Corruption of the Judges more Hideous by rougher Inhumanities, and the unconscionable use of more Tricks and Jugling to support an open Lye, and baffle as manifest an Innocence; And, finally, the excellent Defence of the Prisoners

ers more brutishly quash'd and rendred ineffectual, as well by the Inarticulate noise of the Crowd, as the Nonsensical and Impertinent one of the Bench, Wherein our *Great* and *Small* Murtherers dealt with us, as heretofore the *Manades* or *Baccha* did with *Orpheus*, and out-baul'd that Harmony of Truth, which otherwise, perhaps, would have Charmed, Civilized, and reduced them to Reason. In a word, Every thing is grown up, and amongst others Mr. *Oates* is grown a Doctor, but whether it be by reason of his Improvement in the Liberal Art of Swearing, or because he out-does Doctor *Stil.* in Confuting Catholick Priests, my Intelligence doth not determine. It grieves me to take notice of another Increase, I mean, of *unrighteous* Judges, who come on as fast, as if there had issued out a Proclamation for the Encouragement of Them also. And I cannot but condole with one of them, from whose nobler Bloud, it was impossible for me, to expect such Base and Ignoble Deeds. Is it, perhaps, infected by his Sitting on the same Bench with my L. C. J. *Scroggs*? Or (as I am rather apt to think) hath the present Lightning and Thunder against Catholicks soured it within his Veins, and made His Lordship perceive, how hard a thing it is to be a Good man in Evil times? However it be, Methinks I see somewhat in this Nobleman, that (for Judge *Scroggs's* Comfort) most eminently verifies the Maxim which teacheth, *That the Best things, when they are Corrupted, become the Worst.* This Judge [in the Tryal of the five Jesuites p. 18.] on Mr. Gavan's saying, that *he had more Confidence in the Honour of the Bench, than in whatsoever Mr. Oates said or swore,* Cryes out, *Don't give the King's VVitnesses ill words.* It may be, that Mr. Gavan deserved this Reprehension for his Mistake: But if so, I am heartily sorry, that this Venerable Court of Judicature is such at present, as that a man can *Confide* no more therein, than in the Testimony of Infamous and Perjur'd Villains, and that Mr. *Oates* is egregiously wronged, whenever the *Honour* of these Judges hath the upper hand of *his Credit.* O *Tempora!* O *Mores!* But amidst all these *Increases*, there is (I must confesse) one *Decrease* which I have taken notice of. And it is in the Quality of the Jury. At first, wee had hardly any thing besides *Baronets, Knights* and *Esquires*: And now (thanks be to God) we have not so much as a Gentleman. Which causeth me to think, that the Stock of *Journey-men Butchers* amongst the Gentry is already out; and I hope, that e're this there are not many left amongst the Honest Yeomen.

But after all my Discourses, if they shall tell me (as they did their late Prisoners) that I ought not to take any advantage of these Printed Histories of the Tryals, though such as have come out under their own Correction and Authority, I will answer briefly, that I doubt not, but the world will rest satisfied, as well of our Innocence, as of their Partiality and Injustice, if I make them *both* appear out of these Publications, which they (whom it so much concerned) have set forth on purpose to Evince the Contrary, and justify their Proceedings.

And now, because in the latter end of my Remarks I observed that all Narratives of these late Transactions had concealed such solemn and convincing Protestations of Innocence, as the Pretended Criminals made at their departure out of this world (which, it seems, was then thought the most convenient means of Hiding the Truth) it may, perhaps, be expected, that I should say somewhat of a late Publication, which hath been so Candid, as to expose to the general View the *last Speeches* of no less than five Martyrs all at once. What shall we say? Are our Adversaries grown Ingenuous and Sincere on the suddain? Hath, peradventure, so much Innocent Blood suppld, and made them pliant to the rules of Justice? No, no, it is too great a Leap from the lowest Sink of Malice to so high a Pitch of Integrity. They shew, indeed, these *last* and *greatest* Evidences of Innocence, but it is under the *Crown of thorns*, the *white and purple Robes*, and such an *Attire of Derision*, as Those whom they now imitate, heretofore thought fit to put on the Saviour of the World, when they exposed him to the People with an *Eccè Homo!* But that it may not fare with you (my Dear Countrymen) as it did with the *Jews*, who were not able to Discern the King of Heaven and Earth amidst such clouds of Dirt and Ignominy, as his Ennemies had taken care to invest him with, I will, at least, endeavour by a few lines to draw off those Vizards, wherewith *the like* Men have laboured to Disguise this Truth, that (if possible) it may appear to you in its native Beauty and Lustre. And in order hereunto, it would not be amiss, that you should take notice, How, and by what means the most important Truth, *I mean*, the Christian Religion, hath always been Impugned, which (if you have recourse to the best Histories) you will find to have been done (for the most part) no otherwise, than by putting evil and sinister Interpretations and Glosses on all such things, as from time to time were offered in its Confirmation, and towards the Gaining it a Belief from Mankind. Thus the Holy Abstinence and Retirement of *S. John Baptist*, who is to usher it into the world, are Interpreted Madness and the Effects of *being possessed with a Devil*; The more free and sociable Conversation of our Saviour, who teacheth it, must pass for Drunkenness and the Love of *ill Company*; Sometimes, indeed, they ask him a Miracle, as if he had not done any, that so they may decieve the People; But where his Miracles are too open to be Denied, their Gloss is at hand, and they tell you, That *it is through the power of Sathan, that he worketh them*. In fine, Interpretation is That, which accompanies the Racks and Torments of the Pagan Persecutors, And is (as the world knows) so strong an Engin in the hands of all Hereticks (whose chief Magazines are filled with nothing else but Texts of Scripture *ill-interpreted*) and is made use of by them with so much success against this *Pillar of Truth*, that many times we could not but fear even the Downfal and total Ruine thereof, were it not for that Promise, which assures us, that

the

the Powers of Hell shall never prevail against it. No wonder then, if it be still Employed, and that you find it through all these late Transactions so much in Vogue, and especially (that I may come to my present purpose) in the lessening, discrediting and evading so great a Testimony of Truth, as hath been given us in the Last Speeches of these Glorious Sufferers. At first, as you may remember, when these Treasons were most fully & solemnly denied at the Hour of Death, It was said (without any imaginable grounds) that *this Denyal was bargained for, and only made on the promise and expectation of a Pardon.* Next, the Speeches were (as much as could be) Interrupted and Hindred by the Sheriff; And whatever escaped his Authority, was buried, at least, in the Silence of the Presse: But when such a Torrent of this *Last Eloquence* brake forth inspight of all Dams and opposition, and spake loud the Innocence of the Catholicks through the Nation, THEN there is no other way of Impugning it, than by the boldest Glosses and rashest Interpretations, that either the Brains or Malice of our Adversaries can invent. And therefore (not considering how many flourishing and well-governed Commonwealths and Kingdoms of Christianity they Affront at once) they Cry out, That there is no regard to be had even to the *Dying Words* of Papists, forasmuch as they are never unprovided of Dispensations, Absolutions, Equivocations, and a thousand such things as those, which enable them in the very face of present Death (whose Remembrance alone, according to the Scripture, is enough to deterr us from Evil) with a clear Conscience, and (the Effect of it) a chearful Countenance, to Mock the God of Heaven and of Truth, by invoking him to the Testimony of most Hellish and abominable Lies. I must confess, I always thought that Serenity and Peace of mind (especially at the hour of Death) had been the Attendant only of Just Actions, and for this reason that *Balaam* was induced to desire, that *His Death might be like the Death of the Righteous*: But now I see, there are some, who would have us believe, that not only the evil Life, but the Death it selfe of the Wicked is so far from being Terrible and full of Remorse, that they can smile on it even amidst their Impieties, and are so far from loathing the foulest Crimes (as Men have hitherto been said to do at such a time as this) that they Hug, Embrace, and, as it were, strive to Carry them *along with them* before the Dreadful Tribunal of Almighty God. But He, who can Believe this, must at the same time refuse his Credit to whatsoever either Philosophy, Divinity, or Common Experience hath taught us hitherto of Human Nature: He must acknowledge, That there are Men in the World, Who love what is neither a *real* nor an *apparent* Good; Who Hate both God & Themselves; And, lastly, who pursue what is directly Contrary to all *true* and *seeming* Interest.

In the first place, I hope at least, that you will now grant me, that, what
I 2
your

your Informers and Judge *Scroggs* himselfe [in *Mr. Ireland's Tryal* p. 74. and elsewhere] with many others have made you believe touching these Priests and Jesuites, is evidently false, *Viz.* That their Religion was nothing else but their *Interest*, that they were *Bishopricks*, *Deaneries* and other *Preferments* which they aimed at in all their Endeavours, and not the Satisfaction of their Consciences, or any Provision for another World. For, can the weakest Brother amongst you think, that Men who follow meerly *temporal* Conveniences and *earthly* Interests, should rather throw away their Lives and Hopes in defence of Falshood, than by owning Truth, lay hold on those Possessions, which (as you say) were the only things, which they sought by their Impostures? I say, it cannot but be imagined that such, *whose Belly was their God*, would have chosen rather to have Dieted with *Oates & Bedlow*, and partaken of their Dainties at the Royal Pallace (though at a greater Expence, than that of *telling Truth*) than to have become themselves the food of worms within the Grave. It was not *Interest* then, but Conscience and some Fundamental Point of their Religion, which obliged them to refuse so many Offers of Pardon and Preferment, as were made to them (and amidst the Threats of Death were the strongest Argument to Nature) for the Extorting the Confession you desired. Insomuch as that every one of your Rulers might have said to each of their Prisoners (as *Balak* did to *Balaam*) *Decreveram quidem magnifice honorare te, sed Dominus privavit te Honore disposito. I purposed, indeed, to have Honoured thee in an high degree, but it is thy God, who hath obstructed my Design, and deprived thee of those great Dignities, which I intended to have conferred upon thee.* And if this be so, How is it possible that any one should bewitch the Faculties of your souls so far, as to make you fancy, that this Religion (not to say, *Any Religion*) which your greatest Doctors hold a *Safe Way to Salvation*, from which your Bishops take so much pains to derive their Succession and Order, and which they acknowledge to be the Doctrine of what hath been and continues still, at least, a Member of that Spouse of Christ, the *Holy Catholick Church*, can either *require* or *allow* its Professors to commit the blackest Treasons, and to employ their last Breath in the dreadfulest Blasphemies, and most exquisite and elaborate Perjuries? Can (I say) a Religion, which leads to Heaven, propose a path so crooked, foul & dark, that even those who go to Hell are affraid to tread therein? But if Passion & Prejudice have so far intrenched on the Prerogative of your *Species*, as that you cannot now hearken to the easy and convincing Inferences of your *Reason*, Be pleased (for once) to believe your *Senses*. Behold your Prisons full of Catholicks, Many great houses emptied of their Lords, The House of Peers considerably maimed, The Roads beaten by Multitudes travelling into Banishment, and (looking a little back) men turned out of their Employments, two Thirds of their Estates, and, many times, out of Life

Life it selfe. Ask the reason of all this Bustle, Confusion and Slaughter : And your Neighbours, your Histories and your Laws will answer you, that *it is, because the Catholicks will not take the Oath of Supremacy, will not deny an Article of their Belief, and cannot swear That to be True, which they think in their Consciences to be False*: And when you hear this, I hope, you will not say (let Shameless Scriblers publish what they please) that Catholicks can *Ly or Swear false* under the Protection of any Dispensation or Equivocation whatsoever; for, by what wile can this Chymera get into your heads, *that men should neither Dare nor Forbear to Ly to save their Lives?* or, that they should swear false to *Damn their Souls*, and not do it to *preserve their Estates?* But after all this, and what I have said elsewhere, had the Crimes, objected to these men, been proved against them, by persons of an unsuspected Fidelity, or any tolerable Reputation, there had yet been some Colour for that Incredulity towards *Dying Speeches*, which they would create in you; But when the Witnesses of this pretended Guilt are so Infamous, their Information so absurd and contradictory, and the Proofs against them so strong and substantial, and when (on the other side) the Worth and Loyalty of the Accused are so Known and Conspicuous, their *forbearance to Fly* giving an evident mark of their Innocence, and the strictest searches not affording the least sign of their Treason, if you cannot prefer the *last VVords* and *solemn Protestations* of sober and modest Christians, who, during the course of their Lives, made the highest scruple (as you have seen by experience) of a *false Oath*, and now at their Deaths can get nothing by *one*, but a deeper place in Hell, before the Attestations of such Wretches, who never stuck at Perjurie or the vilest Wickednesse to accomplish their ends, in whose mouths even a *true Report* would have lost its credit, and who at present have so much advantage from their Inventions, that with much more truth they may be said to have *discovered* an Indian Mine, than any Plot against his Majesty, If such a Prospect as this do not undeceive you, What shall I say, save only that it will be a Madness for me to say any thing more? For, if in such a case, and amidst such Circumstances you Believe not the Protestations of DYING men, I think, I may well Conclude (in some of *Abraham's* words to *Dives*) that *neither will you be perswaded, though one even ROSE FROM THE DEAD to convince you. And, therefore, that it will be a more prudent Charity, to change my Discourses to you into Prayers and Tears for you, that God would by Turning your Hearts, Avert those severe Iudgments, whereof such Incurrigible Obstinacy and Blindnesse have ever been the constant & certain Harbingers.*

3. Reg. c. 21. v. 9. 10. 11. 12. 13.

Pradicate Jejunium, & sedere facite Naboth inter Primos Populi. Et submitte Duos viros, filios Belial, contra eum, & falsum Testimonium dicant. Benedixit Naboth Deum & Regem. Et educite eum & lapidate, sicque Moriatur. Fecerunt ergo Cives ejus, Majores natu & Optimates. . . . sicut praeceperat eis Jezebel. Pradicaverunt Jejunium, & sedere fecerunt Naboth inter Primos Populi. Et adductis duobus viris, filiis Diaboli, fecerunt eos sedere contra eum. At illi, scilicet viri Diabolici, dixerunt contra eum testimonium coram multitudine. Benedixit Naboth Deum & Regem. Quamobrem eduxerunt eum extra Civitatem, & lapidibus interfecerunt.

Proclaim a *Fast*, and place *Naboth* amongst the Cheif of the People. And set *two men*, *sons of Belial*, against him, and let them bear *false Witnesse* [saying] *Naboth hath Cursed God & the King*. Then lead him out, and stone him till he dies. And *his Citixens*, *the Elders* and *Magistrates* did. . . . as *Iezabel* had commanded. They proclaimed a *Fast*, and placed *Naboth* amongst the Chief of the People. And having procured two men, *sons of the Devil*, they set them against him. And they, viz. *These Diabolical men*, bare witnesse [saying] *Naboth hath Cursed God and the King*. VVherefore they drew him without the City, and stoned him to death.

Dear Reader, I purposed to have left the foregoing Quotation of the Scripture (as is usually done) to thy own Reflection, but my *Remarking Humour* is now grown so habitual to me, that I cannot lay down the pen, till I observe to thee, not only that there are, and have been such things in the world as *false VVitnessees*, which our Countrymen seem to have forgotten, but also that the *Holy Ghost* (whom, I think, we may safely follow) is pleased to Call these persons, who *swore falsly* against *Naboth*, *sons of Belial*, *sons of the Devil*, and *Diabolical*, or *Devilish men*, though they were the *King's VVitnessees*, and (according to our modern Doctrine) ought not to be *asperged*, And likewise that it is no infallible proof, that men are Traytors, though on the alarm of their supposed *Treason* solemn *Fasts* are *Proclaimed*, publick and (in appearance) *fair Tryals* Had before the *Magistrates*, *Elders* & *chief Citizens*, great concerns for *Religion* pretended (these *Naboths* being said to have *curst God*, as well as the *King*) the Prisoners condemned with *Acclamations*, and, finally, *Executed* according to their sentence. Nay, on the contrary, you may see by this Example, How possible it is that under all these specious

Ar-

Arraignments, Pleadings, Accusations and Defences, together with the *learned Gravity* of Judges, and the *Rural plainness* and *seeming Honesty* of Jurymen may Lurk the most monstrous *Injustice*, that was ever yet inspired by that Prince of *darknesse*, with whom it is no new thing to put on (as his occasions require) many *fair colours*, & *transform himself into an Angel of light*. But the ensuing part of this Story, and what became of *Iezabel* and *Ahab*, the one who contrived, and the other who approved of the *Shedding of this Innocent Bloud*, I recommend to the serious Consideration of all my Readers, and especially of such, as being under the like *guilty Circumstances*, have great cause to apprehend the like Events, from the most impartial hand of the same Providence.

F I N I S.

Errata sic corrige.

P. 13. lin. 20. after *No*, insert (though they contradict here, what, you see, they Act towards Declared Papists)

P. 21. lin. 20. *Mr. Strange* r. *Mr. Oates*. Which mistake (though not Material to the sence) was occasioned by the error or obscurity of the Printed Tryal.

P. 58, lin. 17. read wherby it will be . . .